

# **MASTER APPENDIX**

**Master Appendix—Summary of Defendants’ Motion to Dismiss**

<b>Subject of Motion to Dismiss</b>	<b>Relevant Memorandum of Law</b>	<b>Summary of Requested Relief</b>
Antitrust	Prior Rulings Brief (pp. 2-6)	Schedule A
Commodity Exchange Act	Prior Rulings Brief (pp. 6-9)	Schedule B
Contract	Prior Rulings Brief (pp. 12-24)	Schedule C
Fraud-Related Claims	Fraud Brief (pp. 11-16, 19-45)	Schedule D
Injunctive Relief	Injunctive Relief Brief	Schedule E
Negligent Misrepresentation	Fraud Brief (16-17, 45-48)	Schedule F
Personal Jurisdiction	Personal Jurisdiction Brief	Schedule G
RICO	Prior Rulings Brief (pp. 9-12)	Schedule H
Securities Claims	Schwab Securities Brief	Schedule I
Tortious Interference	Tortious Interference Brief	Schedule J
Unfair Business Practices	Consumer Brief	Schedule K
Unjust Enrichment	Prior Rulings Brief (pp. 12-24)	Schedule L

A

**Schedule A—Antitrust**

<b>Amended Complaints Asserting Antitrust Claims</b>	<b>Relevant Claims for Relief</b>	<b>Type of Antitrust Claim Asserted</b>	<b>Relief Requested</b>
<i>Amabile v. Bank of Am. Corp.</i> , No. 13-cv-1700	No. 5	Federal	Dismissal of all antitrust claims as to all Defendants in all actions
<i>Bay Area Toll Authority v. Bank of Am. Corp.</i> , No. 14-cv-3094	Nos. 1, 3	Federal; California (asserted for preservation purposes only)	
<i>City of Houston v. Bank of Am. Corp.</i> , No. 13-cv-5616	Nos. 8-9	Federal; Texas	
<i>City of Phila. v. Bank of Am. Corp.</i> , No. 13-cv-6020	No. 14	Federal (asserted for preservation purposes only)	
<i>Darby Fin. Prods. v. Barclays Bank PLC</i> , No. 13-cv-8799	No. 13	Federal	
<i>Fed. Dep. Ins. Corp. v. Bank of Am. Corp.</i> , No. 14-cv-1757	Nos. 23-24	Federal; New York	
<i>Fed. Home Loan Mortg. Corp. v. Bank of Am. Corp.</i> , No. 13-cv-3952	No. 1	Federal	
<i>Nat'l Credit Union Admin. Bd. v. Credit Suisse Grp. AG</i> , <sup>1</sup> No. 13-cv-7394	Nos. 1-2	Federal; California; Illinois; Kansas	
<i>Principal Fin. Grp., Inc. v. Bank of Am. Corp.</i> , No. 11-MD-2262	Nos. 1-2	Federal; New York	
<i>Principal Funds, Inc. v. Bank of Am. Corp.</i> , No. 11-MD-2262	Nos. 1-2	Federal; New York	

<sup>1</sup> NCUA lists two non-existent entities, “Credit Suisse Group International” and “Rabobank International” as defendants in the caption of its complaint. “Rabobank International” is the name by which Rabobank is referred outside of the Netherlands, but is not a legal entity separate from Rabobank. These entities should be dismissed.

Amended Complaints Asserting Antitrust Claims	Relevant Claims for Relief	Type of Antitrust Claim Asserted	Relief Requested
<i>Prudential Investment Portfolios 2 v. Bank of Am. Corp.</i> , No. 14-cv-4189	No. 11	Federal (asserted for preservation purposes only)	
<i>Regents of the Univ. of Calif. v. Bank of Am. Corp.</i> , No. 13-cv-5186 <sup>2</sup>	Nos. 8-9	Federal; California (asserted for preservation purposes only)	
<i>Salix Capital US Inc. v. Banc of Am. Securities LLC</i> , No. 13-cv-4018	No. 22	Federal	

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<sup>2</sup> The actions by California municipalities previously filed as *City of Riverside* (13-cv-0597) (C.D. Cal.), *Cnty. of San Mateo* (13-cv-0625) (N.D. Cal.), *E. Bay Mun. Util. Dist.* (13-cv-0626) (N.D. Cal.), *City of Richmond* (13-cv-0627) (N.D. Cal.), *Cnty. of San Diego* (13-cv-0667) (S.D. Cal.), *Cnty. of Sonoma* (13-cv-5187) (N.D. Cal.), *San Diego Ass'n of Gov'ts* (13-cv-5221) (S.D. Cal.), *Cnty. of Sacramento* (13-cv-5569) (E.D. Cal.), *Cnty. of Mendocino* (13-cv-8644) (N.D. Cal.) are now consolidated in the Direct Action Plaintiffs' Consolidated First Amended Complaint, *Regents of the Univ. of Calif. v. Bank of Am. Corp.*, No. 13-cv-5186 (MDL ECF No. 684).

**B**

**Schedule B—Commodity Exchange Act**

<b>Amended Complaint Asserting CEA Claim</b>	<b>Relevant Claims for Relief</b>	<b>Relief Requested</b>
<i>Amabile v. Bank of Am. Corp.</i> , No. 13-cv-1700	Nos. 1-4	Dismissal as to all Defendants of CEA claims alleging persistent suppression from August 2007 through April 15, 2009, and certain CEA claims alleging episodic trader manipulation, including those from August 2007 through April 15, 2009.

**C**



## Schedule C—Contract

## Schedule C.1—Dismissal of Breach of Contract and Breach of the Implied Covenant of Good Faith and Fair Dealing Claims Against Non-Counterparty Defendants

Amended Complaints Asserting Contract Claims	Relevant Claims for Relief	Relevant Plaintiff(s)	Relief Requested
<i>Bay Area Toll Auth. v. Bank of Am. Corp.</i> , No. 14-cv-3094	No. 8	BATA	Dismissal of all claims for breach of express contract in all actions;
<i>CEMA Joint Venture v. Charter One Bank, N.A. et al.</i> , No. 13-civ.-5511	Nos. 3, 5	CEMA Joint Venture	Dismissal of all breach of the implied covenant of good faith and fair dealing claims asserted against:
<i>Charles Schwab Corp. v. Bank of Am. Corp.</i> , No. 13-cv-7005	No. 5	All plaintiffs	(i) Defendants with which the Plaintiffs did not contract;
<i>Darby Fin. Prods. v. Barclays Bank PLC</i> , No. 13-cv-8799	Nos. 2-7	Darby Financial Products	(ii) Defendants that transacted with the Plaintiffs merely as an underwriter or broker-dealer; and
	Nos. 4-7	Capital Ventures	
<i>Fed. Deposit Ins. Corp. as Receiver for 38 Closed Banks v. Bank of Am. Corp.</i> , No. 14-cv-1757	Nos. 1, 11	FDIC as receiver for Amcore Bank, N.A.	(iii) non-Panel Bank Defendants
	Nos. 4, 11	FDIC as receiver for IndyMac Bank, F.S.B.	
	Nos. 5, 11	FDIC as receiver for Integra Bank, N.A.	
	Nos. 6, 11	FDIC as receiver for Silverton Bank, N.A.	
	Nos. 7, 11	FDIC as receiver for Superior Bank	
	Nos. 8, 11	FDIC as receiver for United Commercial Bank	
	Nos. 9, 11	FDIC as receiver for Washington Mutual Bank	
	Nos. 10, 11	FDIC as receiver for Westernbank Puerto Rico	

<b>Amended Complaints Asserting Contract Claims</b>	<b>Relevant Claims for Relief</b>	<b>Relevant Plaintiff(s)</b>	<b>Relief Requested</b>
<i>Fed. Home Loan Mortg. Corp. v. Bank of Am. Corp.</i> , No. 13-cv-3952	Nos. 2-9	Freddie Mac	
<i>Fed. Nat. Mortg. Ass'n v. Barclays Bank PLC</i> , No. 13-cv-7720	Nos. 1-2	Fannie Mae	
<i>City of Houston v. Bank of Am. Corp.</i> , No. 13-cv-5616	Nos. 4-5	City of Houston	
<i>Nat'l Credit Union Admin. Bd. v. Credit Suisse Grp. AG</i> , No. 13-cv-7394	No. 3	NCUA as receiver for Members United Corporate Federal Credit Union	
	No. 4	NCUA as receiver for Southwest Corporate Federal Credit Union	
	No. 5	NCUA as receiver for Western Corporate Federal Credit Union Wescorp	
	No. 6	NCUA as receiver for U.S. Central Federal Credit Union	
<i>City of Philadelphia v. Bank of Am. Corp.</i> , No. 13-cv-6020	Nos. 1-4	City of Philadelphia	
	Nos. 5-6	Pennsylvania Intergovernmental Cooperation Authority	
<i>Principal Fin. Grp., Inc. v. Bank of Am. Corp.</i> , No. 13-cv-6014	Nos. 3-4	All plaintiffs	
<i>Principal Funds, Inc. v. Bank of Am. Corp.</i> , No. 13-cv-6013	Nos. 3-4	All plaintiffs	

<b>Amended Complaints Asserting Contract Claims</b>	<b>Relevant Claims for Relief</b>	<b>Relevant Plaintiff(s)</b>	<b>Relief Requested</b>
<i>Prudential Inv. Portfolios 2 v. Bank of Am. Corp.</i> , No. 14-cv-4189	Nos. 5-8	All plaintiffs	
<i>Regents of the Univ. of Cal. v. Bank of Am. Corp.</i> , No. 13-cv-5186	Nos. 4-5	All plaintiffs	
<i>Salix Capital US Inc. v. Banc of Am. Securities LLC</i> , No. 13-cv-4018	Nos. 8-9	Salix as assignee of FrontPoint Relative Value Opportunities Fund, L.P.	
		Salix as assignee of FrontPoint Volatility Opportunities Fund, L.P.	
		Salix as assignee of FrontPoint Volatility Opportunities Fund GP, L.P.	
		Salix as assignee of FrontPoint Partners, L.P.	

**Schedule C.2—Dismissal of Contract Claims as Untimely**

<b>Action<sup>1</sup></b>	<b>Date Filed<sup>2</sup></b>	<b>Applicable Statute of Limitations</b>	<b>Alleged Period of Relevant Conduct</b>	<b>Relief Requested</b>
<i>Bay Area Toll Auth. v. Bank of Am. Corp.</i> , No. 14-cv-3094	March 31, 2014	Four years. Cal. Code Civ. Proc. § 337(1).	August 2007 – May 2010 (Am. Compl. ¶ 1)	Dismissal as to all claims accruing before March 31, 2010.
<i>Charles Schwab, N.A. v. Bank of Am. Corp.</i> , No. 13-cv-7005	April 29, 2013	Four years. Cal. Code Civ. Proc. § 337(1).	August 2007 – May 2010 (Am. Compl. ¶ 1)	Dismissal as to all claims accruing before April 29, 2009.
<i>City of Philadelphia v. Bank of Am. Corp.</i> , No. 13-cv-6020	July 26, 2013	Four years. 42 Pa.C.S.A. § 5525(a).	August 2007 – end of 2010 (Am. Compl. ¶ 11)	Dismissal as to all claims accruing before July 26, 2009.
<i>City of Richmond v. Bank of Am. Corp.</i> , No. 13-cv-0627 (CM) <sup>3</sup>	January 9, 2013	Four years. Cal. Code Civ. Proc. § 337(1).	August 2007 – March of 2011 (Consol. Am. Compl. ¶ 6)	Dismissal as to all claims accruing before January 9, 2009.
<i>City of Riverside v. Bank of Am. Corp.</i> , No. 13-cv-0597 (CM)	January 9, 2013	Four years. Cal. Code Civ. Proc. § 337(1).	August 2007 – March of 2011 (Consol. Am. Compl. ¶ 6)	Dismissal as to all claims accruing before January 9, 2009.

<sup>1</sup> The below listed actions include only those against which Defendants are moving on statute of limitations grounds at this time.

<sup>2</sup> This reflects the filing date of the original complaint.

<sup>3</sup> This action and others in this Schedule that have the parenthetical (“CM”) have been consolidated into *Regents of the Univ. of Calif. v. Bank of Am. Corp.*, No. 13-cv-5186, and consist of claims brought on behalf of various California municipalities. Because the municipalities filed their actions on different dates, and therefore are subject to different statute of limitations periods, we have broken them out for purposes of this Schedule only even though the actions are now consolidated.

<b>Action<sup>1</sup></b>	<b>Date Filed<sup>2</sup></b>	<b>Applicable Statute of Limitations</b>	<b>Alleged Period of Relevant Conduct</b>	<b>Relief Requested</b>
<i>Cnty. of Mendocino v. Bank of Am. Corp.</i> , No. 13-cv-8644 (CM)	November 13, 2013	Four years. Cal. Code Civ. Proc. § 337(1).	August 2007 – March of 2011 (Consol. Am. Compl. ¶ 6)	Dismissal as to all claims accruing before November 13, 2009.
<i>Cnty. of Sacramento v. Bank of Am.</i> , No. 13-cv-5569 (CM)	July 23, 2013	Four years. Cal. Code Civ. Proc. § 337(1).	August 2007 – March of 2011 (Consol. Am. Compl. ¶ 6)	Dismissal as to all claims accruing before July 23, 2009.
<i>Cnty. of San Diego v. Bank of Am. Corp.</i> , No. 13-cv-0667 (CM)	January 9, 2013	Four years. Cal. Code Civ. Proc. § 337(1).	August 2007 – March of 2011 (Consol. Am. Compl. ¶ 6)	Dismissal as to all claims accruing before January 9, 2009.
<i>Cnty. of San Mateo v. Bank of Am. Corp.</i> , No. 13-cv-0625 (CM)	January 9, 2013	Four years. Cal. Code Civ. Proc. § 337(1).	August 2007 – March of 2011 (Consol. Am. Compl. ¶ 6)	Dismissal as to all claims accruing before January 9, 2009.
<i>Cnty. of Sonoma v. Bank of Am. Corp.</i> , No. 13-cv-5187 (CM)	June 28, 2013	Four years. Cal. Code Civ. Proc. § 337(1).	August 2007 – March of 2011 (Consol. Am. Compl. ¶ 6)	Dismissal as to all claims accruing before June 28, 2009.
<i>Darby Fin. Prods. v. Barclays Bank PLC</i> , No. 13-cv-8799	November 21, 2013	Four years. 42 Pa.C.S.A. § 5525(a).	August 2007 – end of 2010 (Am. Compl. ¶ 3)	Dismissal as to all claims accruing before November 21, 2009.
<i>East Bay Municipal Utility Dist. v. Bank of Am. Corp.</i> , No. 13-cv-0626 (CM)	January 9, 2013	Four years. Cal. Code Civ. Proc. § 337(1).	August 2007 – March of 2011 (Consol. Am. Compl. ¶ 6)	Dismissal as to all claims accruing before January 9, 2009.

<b>Action<sup>1</sup></b>	<b>Date Filed<sup>2</sup></b>	<b>Applicable Statute of Limitations</b>	<b>Alleged Period of Relevant Conduct</b>	<b>Relief Requested</b>
<i>Fed. Home Loan Mortg. Corp. v. Bank of Am. Corp.</i> , No. 13-cv-3952	March 14, 2013	Five years. VA Code Ann. § 8.01-246.	August 2007 – May 2010 (Am. Compl. ¶ 7)	Dismissal as to all claims accruing before March 14, 2008.
<i>Fed. Nat. Mortg. Ass'n v. Barclays Bank PLC</i> , No. 13-cv-7720	October 13, 2013	Three years. D.C. Code § 12-301.	August 2007 – 2010 (Am. Compl. ¶ 4)	Dismissal as to all claims accruing before October 31, 2010.
<i>Principal Fin. Grp., Inc. v. Bank of Am. Corp.</i> , No. 13-cv-6014	October 6, 2014	Six years. N.Y. C.P.L.R. § 213(2).	August 2007 – May 2010 (Am. Compl. ¶ 2)	Dismissal as to all claims accruing before October 6, 2008. <sup>4</sup>
<i>Principal Funds, Inc. v. Bank of Am. Corp.</i> , No. 13-cv-6013	October 6, 2014	Six years. N.Y. C.P.L.R. § 213(2).	August 2007 – May 2010 (Am. Compl. ¶ 2)	Dismissal as to all claims accruing before October 6, 2008. <sup>5</sup>

<sup>4</sup> This applies only to the Defendants first named by Principal Financial Group and Principal Funds in their amended complaints filed October 6, 2014: As to Principal Funds, these are Barclays Capital, Inc.; Citigroup Global Markets, Inc.; Credit Suisse AG; Credit Suisse Securities (USA) LLC; Deutsche Bank Securities, Inc.; J.P. Morgan Securities, LLC; Lloyds Bank PLC; Merrill Lynch, Pierce, Fenner & Smith, Inc.; The Royal Bank of Scotland PLC; RBS Securities, Inc.; and UBS Securities LLC.

As to Principal Financial Group: Barclays Capital, Inc.; Chase Bank USA, N.A.; Citigroup Global Markets, Inc.; Credit Suisse AG; Credit Suisse International; Credit Suisse Securities (USA) LLC; Deutsche Bank Securities, Inc.; J.P. Morgan Dublin PLC; J.P. Morgan Securities, LLC; Lloyds Bank PLC; Merrill Lynch Capital Services, Inc.; Merrill Lynch, Pierce, Fenner & Smith, Inc.; The Royal Bank of Scotland PLC; RBS Securities, Inc.; and UBS Securities LLC. Additionally, Credit Suisse International; Credit Suisse Securities (USA) LLC; Credit Suisse AG, and Deutsche Bank Securities, Inc., have not yet been served in either action and reserve their rights if plaintiffs fail to timely effect service.

<sup>5</sup> See *supra* note 3.

<b>Action<sup>1</sup></b>	<b>Date Filed<sup>2</sup></b>	<b>Applicable Statute of Limitations</b>	<b>Alleged Period of Relevant Conduct</b>	<b>Relief Requested</b>
<i>Prudential Investment Portfolios 2 v. Bank of Am. Corp.</i> , No. 14-cv-4189	May 19, 2014	Six years. N.J.S.A. § 2A:14-1; N.Y. C.P.L.R. § 213(2).	August 2007 – end of 2010 (Am. Compl. ¶ 3)	Dismissal as to all claims accruing before May 19, 2008.
<i>Regents of the Univ. of Cal. v. Bank of Am. Corp.</i> , No. 13-cv-5186	June 25, 2013	Four years. Cal. Code Civ. Proc. § 337(1).	August 2007 – March of 2011 (Consol. Am. Compl. ¶ 6)	Dismissal as to all claims accruing before June 25, 2009.
<i>San Diego Ass'n of Gov'ts v. Bank of Am. Corp.</i> , No. 13-cv-5221	June 25, 2013	Four years. Cal. Code Civ. Proc. § 337(1).	August 2007 – March of 2011 (Consol. Am. Compl. ¶ 6)	Dismissal as to all claims accruing before June 25, 2009.

**D**



**Schedule D—Fraud-Related Claims****Schedule D.1—Dismissal of Fraud-Related Claims for Failure to Plead Substantive Elements**

<b>Amended Complaints Asserting Fraud-Related Claims</b>	<b>Relevant Claims for Relief</b>	<b>Relief Requested</b>
<i>Bay Area Toll Auth. v. Bank of Am. Corp., et al.</i> , No. 14-cv-3094	Nos. 4-5	Dismissal of all fraud-related claims as to all Defendants in all actions;  Alternatively, dismissal of all fraud claims by Plaintiffs against Defendants with which such Plaintiffs had no direct LIBOR referenced transactions;  Alternatively, dismissal of all fraud claims based on transactions entered into before August 2007.
<i>CEMA Joint Venture v. Charter One Bank, N.A., et al.</i> , No. 13-cv-5511	No. 1	
<i>Charles Schwab Corp. v. Bank of Am. Corp., et al.</i> , No. 13-cv-7005	Nos. 1-2	
<i>City of Houston v. Bank of Am. Corp., et al.</i> , No. 13-cv-5616	Nos. 1-2	
<i>City of Phila. v. Bank of Am. Corp., et al.</i> , No. 13-cv-6020	Nos. 7-8 and 13	
<i>Darby Fin. Prods. v. Barclays Bank PLC, et al.</i> , No. 13-cv-8799	Nos. 8-9 and 12	
<i>Fed. Deposit Ins. Corp. v. Bank of Am. Corp., et al.</i> , No. 14-cv-1757	Nos. 13-15	
<i>Fed. Home Loan Mortg. Corp. v. Bank of Am. Corp., et al.</i> , No. 13-cv-3952	No. 10	
<i>Fed. Nat'l. Mortg. Ass'n v. Barclays Bank PLC, et al.</i> , No. 13-cv-7720	Nos. 4-6	
<i>Maragos v. Bank of Am. Corp., et al.</i> , No. 13-cv-2297	No. 1	
<i>Principal Fin. Grp., Inc., et al. v. Bank of Am. Corp., et al.</i> , No. 13-cv-6014	Nos. 5-6	
<i>Principal Funds, Inc., et al. v. Bank of Am. Corp., et al.</i> ,	Nos. 5-6	

<b>Amended Complaints Asserting Fraud-Related Claims</b>	<b>Relevant Claims for Relief</b>	<b>Relief Requested</b>
No. 13-cv-6013		
<i>Prudential Inv. Portfolios 2, et al. v. Bank of Am. Corp., et al.,</i> No. 14-cv-4189	Nos. 1-2 and 13	
<i>Regents of the Univ. of Cal. v. Bank of Am. Corp., et al.,</i> No. 13-cv-5186	Nos. 1-2	
<i>Salix Capital US Inc. v. Bank of Am. Sec. LLC, et al.,</i> No. 13-cv-4018	Nos. 13-16 and 20-21	
<i>Triaxx v. Bank of Am. Corp., et al.,</i> No. 14-cv-0146	Nos. 1-2	

**Schedule D.2—Dismissal of Fraud-Related Claims by non-FDIC Plaintiffs as  
Untimely**

Action <sup>1</sup>	Date Filed <sup>2</sup>	Applicable Statute of Limitations	Alleged Period of Relevant Conduct	Relief Requested
<b>Actions Transferred from California</b>				
<i>Bay Area Toll Auth. v. Bank of Am. Corp., et al.</i> , No. 14-cv-3094	Mar. 31, 2014	Three years from discovery pursuant to Cal. Civ. Proc. Code § 338(d).	August 2007 – May 2010 (BATA ¶ 1.)	Dismissal as to all fraud claims.
<i>Charles Schwab Corp. v. Bank of Am. Corp., et al.</i> , No. 13-cv-7005	Apr. 29, 2013	Three years from discovery pursuant to Cal. Civ. Proc. Code § 338(d). <sup>3</sup>	August 2007 – May 2010 (Schwab ¶ 1.)	Dismissal as to all fraud claims accruing before Apr. 29, 2010.
<i>City of Richmond v. Bank of Am. Corp., et al.</i> , No. 13-cv-0627	Jan. 9, 2013	Three years from discovery pursuant to Cal. Civ. Proc. Code § 338(d).	August 2007 – March 2011 (Regents ¶ 6.)	Dismissal as to all fraud claims accruing before Jan. 9, 2010.
<i>City of Riverside v. Bank of Am. Corp., et al.</i> , No. 13-cv-0597	Jan. 9, 2013	Three years from discovery pursuant to Cal. Civ. Proc. Code § 338(d).	August 2007 – March 2011 (Regents ¶ 6.)	Dismissal as to all fraud claims accruing before Jan. 9, 2010.

<sup>1</sup> The below listed actions include only those against which Defendants are moving on statute of limitations grounds at this time.

<sup>2</sup> This reflects the filing date of the original complaint.

<sup>3</sup> Certain Schwab Plaintiffs not based in California—Charles Schwab Bank, N.A. (Nevada; Schwab ¶ 26), Schwab Short-Term Bond Market Fund, Schwab Total Bond Market Fund and Schwab YieldPlus Fund (Massachusetts; Schwab ¶¶ 28-29; 37)—must be timely under their respective home jurisdictions, pursuant to Cal. Civ. Proc. Code § 361, as well as under California’s statute of limitations, pursuant to California’s choice of law analysis. *See, e.g., Gonzales v. Texaco, Inc.*, 2007 WL 4044319, at \*4 (N.D. Cal. Nov. 15, 2007). The claims of these Schwab Plaintiffs are untimely under both California and Nevada or Massachusetts law. *See* Cal. Civ. Proc. Code § 338(d) (three years); Nev. Rev. Stat. § 11.190(3)(d) (three years); M.G.L.A. 260, § 2A (three years).

Action <sup>1</sup>	Date Filed <sup>2</sup>	Applicable Statute of Limitations	Alleged Period of Relevant Conduct	Relief Requested
<i>Cnty. of Mendocino v. Bank of Am. Corp., et al.</i> , No. 13-cv-8644	Nov. 11, 2013	Three years from discovery pursuant to Cal. Civ. Proc. Code § 338(d).	August 2007 – March 2011 (Regents ¶ 6.)	Dismissal as to all fraud claims accruing before Nov. 11, 2010.
<i>Cnty. of Sacramento v. Bank of Am. Corp., et al.</i> , No. 13-cv-5569	July 23, 2013	Three years from discovery pursuant to Cal. Civ. Proc. Code § 338(d).	August 2007 – March 2011 (Regents ¶ 6.)	Dismissal as to all fraud claims accruing before July 23, 2010.
<i>Cnty. of San Diego v. Bank of Am. Corp., et al.</i> , No. 13-cv-0667	Jan. 9, 2013	Three years from discovery pursuant to Cal. Civ. Proc. Code § 338(d).	August 2007 – March 2011 (Regents ¶ 6.)	Dismissal as to all fraud claims accruing before Jan. 9, 2010.
<i>Cnty. of San Mateo v. Bank of Am. Corp., et al.</i> , No. 13-cv-0625	Jan. 9, 2013	Three years from discovery pursuant to Cal. Civ. Proc. Code § 338(d).	August 2007 – March 2011 (Regents ¶ 6.)	Dismissal as to all fraud claims accruing before Jan. 9, 2010.
<i>Cnty. of Sonoma v. Bank of Am. Corp., et al.</i> , No. 13-cv-5187	June 28, 2013	Three years from discovery pursuant to Cal. Civ. Proc. Code § 338(d).	August 2007 – March 2011 (Regents ¶ 6.)	Dismissal as to all fraud claims accruing before June 28, 2010.
<i>E. Bay Mun. Util. Dist. v. Bank of Am. Corp., et al.</i> , No. 13-cv-0626	Jan. 9, 2013	Three years from discovery pursuant to Cal. Civ. Proc. Code § 338(d).	August 2007 – March 2011 (Regents ¶ 6.)	Dismissal as to all fraud claims accruing before Jan. 9, 2010.

Action <sup>1</sup>	Date Filed <sup>2</sup>	Applicable Statute of Limitations	Alleged Period of Relevant Conduct	Relief Requested
<i>Regents of the Univ. of Cal. v. Bank of Am. Corp., et al.</i> , No. 13-cv-5186	June 25, 2013	Three years from discovery pursuant to Cal. Civ. Proc. Code § 338(d).	August 2007 – March 2011 (Regents ¶ 6.)	Dismissal as to all fraud claims accruing before June 25, 2010.
<i>San Diego Ass'n of Gov'ts v. Bank of Am. Corp., et al.</i> , No. 13-cv-5221	June 25, 2013	Three years from discovery pursuant to Cal. Civ. Proc. Code § 338(d).	August 2007 – March 2011 (Regents ¶ 6.)	Dismissal as to all fraud claims accruing before June 25, 2010.
<b>Actions Transferred from Pennsylvania</b>				
<i>City of Phila. v. Bank of Am. Corp., et al.</i> , <sup>4</sup> No. 13-cv-6020	July 26, 2013	Two years from discovery. 42 Pa.C.S. § 5524(7).	August 2007 – end of 2010 (Phila. ¶ 11.)	Dismissal as to all fraud claims.
<b>Actions Transferred from New Jersey</b>				
<i>Prudential Inv. Portfolios 2, et al. v. Bank of Am. Corp., et al.</i> , No. 14-cv-4189	May 19, 2014	Six years from discovery. N.J.S.A. §§ 2A:14–1.	August 2007 – end of 2010 (Prudential ¶ 3.)	Dismissal as to all fraud claims accruing before May 19, 2008.
<b>Actions Transferred from Virginia</b>				
<i>Fed. Home Loan Mortg. Corp. v. Bank of Am. Corp., et al.</i> , No. 13-cv-3952	Mar. 14, 2013	Two years from discovery pursuant to Va. Code § 8.01-243(A).	August 2007 – May 2010 (Freddie Mac ¶ 7.)	Dismissal as to all fraud claims.

<sup>4</sup> At this time, Defendants are moving on statute of limitations grounds with respect to Plaintiff The City of Philadelphia.

Action <sup>1</sup>	Date Filed <sup>2</sup>	Applicable Statute of Limitations	Alleged Period of Relevant Conduct	Relief Requested
<b>Actions Transferred from Iowa</b>				
<i>Principal Fin. Grp., Inc., et al. v. Bank of Am. Corp., et al.</i> , No. 13-cv-6014	Aug. 1, 2013	Five years from discovery of the fraud pursuant to Iowa Code Ann. §§ 614.1(4) & 614.4.	August of 2007 – May of 2010 (Principal Fin. ¶ 2.)	Dismissal as to all fraud claims accruing before Aug. 1, 2008 (original defendants)/October 6, 2009 (new defendants). <sup>5</sup>
<i>Principal Funds, Inc., et al. v. Bank of Am. Corp., et al.</i> , No. 13-cv-6013	Aug. 1, 2013	Five years from discovery of the fraud pursuant to Iowa Code Ann. §§ 614.1(4) & 614.4.	August of 2007 – May of 2010 (Principal Funds ¶ 2.)	Dismissal as to all fraud claims accruing before Aug. 1, 2008 (original defendants)/October 6, 2009 (new defendants). <sup>6</sup>

<sup>5</sup> As to the Defendants first named by Principal Financial Group and Principal Funds in their amended complaints filed October 6, 2014, dismissal is requested as to all claims accruing before October 6, 2009: As to Principal Funds, these are Barclays Capital, Inc.; Citigroup Global Markets, Inc.; Credit Suisse AG; Credit Suisse Securities (USA) LLC; Deutsche Bank Securities, Inc.; J.P. Morgan Securities, LLC; Lloyds Bank PLC; Merrill Lynch, Pierce, Fenner & Smith, Inc.; The Royal Bank of Scotland PLC; RBS Securities, Inc.; and UBS Securities LLC.

As to Principal Financial Group: Barclays Capital, Inc.; Chase Bank USA, N.A.; Citigroup Global Markets, Inc.; Credit Suisse AG; Credit Suisse International; Credit Suisse Securities (USA) LLC; Deutsche Bank Securities, Inc.; J.P. Morgan Dublin PLC; J.P. Morgan Securities, LLC; Lloyds Bank PLC; Merrill Lynch Capital Services, Inc.; Merrill Lynch, Pierce, Fenner & Smith, Inc.; The Royal Bank of Scotland PLC; RBS Securities, Inc.; and UBS Securities LLC. Additionally, Credit Suisse International; Credit Suisse Securities (USA) LLC; Credit Suisse AG, and Deutsche Bank Securities, Inc., have not yet been served in either action and reserve their rights if plaintiffs fail to timely effect service.

<sup>6</sup> See *supra* note 5.

Action <sup>1</sup>	Date Filed <sup>2</sup>	Applicable Statute of Limitations	Alleged Period of Relevant Conduct	Relief Requested
<b>Actions Filed in New York</b>				
<i>Darby Fin. Prods. v. Barclays Bank PLC, et al.</i> , <sup>7</sup> No. 13-cv-8799	Nov. 21, 2013	Two years from discovery pursuant to 42 Pa.C.S. § 5524(7), applicable pursuant to N.Y. CPLR § 202.	August of 2007 – end of 2010 (Darby ¶ 3.)	Dismissal as to all fraud claims.
<i>Fed. Nat'l. Mortg. Ass'n v. Barclays Bank PLC, et al.</i> , No. 13-cv-7720	Oct. 31, 2013	Three years from discovery pursuant to D.C. Code § 12-301(8), applicable pursuant to N.Y. CPLR § 202.	August of 2007 – 2010 (Fannie Mae ¶¶ 4, 39.)	Dismissal as to all fraud claims accruing before Oct. 31, 2010.

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<sup>7</sup> At this time, Defendants are moving on statute of limitations grounds with respect to Plaintiff Darby Financial Products.

Action <sup>1</sup>	Date Filed <sup>2</sup>	Applicable Statute of Limitations	Alleged Period of Relevant Conduct	Relief Requested
<i>Salix Capital US Inc. v. Bank of Am. Sec. LLC, et al.</i> , <sup>8</sup> No. 13-cv-4018	May 20, 2013	“Under Connecticut law, the statute of limitations for fraud is three years . . . from the date of the act or omission complained of.” <i>Intellivision v. Microsoft Corp.</i> , 784 F. Supp. 2d 356, 367 (S.D.N.Y. 2011) <i>aff’d</i> , 484 F. App’x 616 (2d Cir. 2012); <i>see also</i> Conn. Gen. Stat. §§ 52–577, applicable pursuant to N.Y. CPLR § 202.	August of 2007 – end of 2010 (Salix ¶ 3.) <sup>9</sup>	Dismissal as to all fraud claims.

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<sup>8</sup> At this time, Defendants are moving on statute of limitations grounds with respect to the claims allegedly assigned to Salix Capital US by FrontPoint Relative Value Opportunities Fund, L.P.; FrontPoint Volatility Opportunities Fund, L.P.; FrontPoint Volatility Opportunities Fund GP, L.P.; and FrontPoint Partners, L.P.’s claims.

<sup>9</sup> Salix does not allege that any FrontPoint Claims accrued less than three years before Salix filed suit on May 20, 2013. *See* Salix Ex. A (alleging all swaps were terminated by no later than December 3, 2009); Salix Ex. B. (alleging all bonds were sold by no later than December 3, 2009).



Action <sup>1</sup>	Date Filed <sup>2</sup>	Applicable Statute of Limitations	Alleged Period of Relevant Conduct	Relief Requested
<i>Triaxx v. Bank of Am. Corp., et al.</i> , No. 14-cv-0146	Dec. 20, 2013	“Under New York law, the statute of limitations for fraud is the greater of six years from the time of accrual or two years from the time the plaintiff discovered the fraud or could with reasonable diligence have discovered it.” <i>Soward v. Deutsche Bank AG</i> , 814 F. Supp. 2d 272, 279 (S.D.N.Y. 2011); <i>see also</i> N.Y. C.P.L.R. § 213(8).	2005 – 2010 (Triaxx ¶ 5.)	Dismissal as to all fraud claims accruing before Dec. 20, 2007.

**Schedule D.3—Dismissal of Fraud-Related Claims by FDIC Plaintiffs as Untimely*****Federal Deposit Insurance Corp. v. Bank of America Corp., 14-cv-1757***Date Filed: March 14, 2014<sup>10</sup>

Alleges conduct occurred from August 2007 – mid-2011. (FDIC Compl. ¶ 288; *see also id.* ¶¶ 293, 297).

<b>Failed Financial Institution<sup>11</sup></b>	<b>State</b>	<b>FDIC Appointment<sup>12</sup></b>	<b>State Statute of Limitations for Fraud</b>	<b>Relief Requested<sup>13</sup></b>
Colonial Bank	AL	August 14, 2009	Two years from the date of discovery pursuant to Ala. Code § 6-2-3. <sup>14</sup>	Dismissal as to claims accruing before March 14, 2011.
Downey Savings and Loan Association, F.A.	CA	November 21, 2008	Three years from discovery pursuant to Cal. Civ. Proc. Code § 338(d).	Dismissal as to claims accruing before March 14, 2011.
California National Bank	CA	October 30, 2009	Three years from discovery pursuant to Cal. Civ. Proc. Code § 338(d).	Dismissal as to claims accruing before March 14, 2011.
First Federal Bank of California, F.S.B.	CA	December 18, 2009	Three years from discovery pursuant to Cal. Civ. Proc. Code § 338(d).	Dismissal as to claims accruing before March 14, 2011.

<sup>10</sup> This reflects the filing date of the original complaint.

<sup>11</sup> The below listed financial institutions include only those whose claims the Defendants are moving against on statute of limitations grounds at this time.

<sup>12</sup> The FDIC Extender statute defines the accrual date as the later of the date of the appointment as conservator or receiver or “the date on which the cause of action accrues.” *See* 12 U.S.C. § 1821(d)(14)(B).

<sup>13</sup> This column applies the FDIC Extender Statute, under which the applicable statute of limitations for the fraud claims alleged by the FDIC is the longer of either (1) the three-year period beginning on the date the claim accrues or (2) the period applicable under state law. 12 U.S.C. § 1821(d)(14)(A).

<sup>14</sup> Because the FDIC complaint was filed in New York, the applicable state law limitations period is New York’s, unless a shorter limitations period would be applicable under New York’s borrowing statute. Nevertheless, any shorter limitations period is effectively irrelevant because the Extender Statute applies the longer of its three-year limitations period and the applicable state law limitations period. *See* 12 U.S.C. § 1821(d)(14)(A)(ii).

<b>Failed Financial Institution<sup>11</sup></b>	<b>State</b>	<b>FDIC Appointment<sup>12</sup></b>	<b>State Statute of Limitations for Fraud</b>	<b>Relief Requested<sup>13</sup></b>
First Regional Bank	CA	January 29, 2010	Three years from discovery pursuant to Cal. Civ. Proc. Code § 338(d).	Dismissal as to claims accruing before March 14, 2011.
Imperial Capital Bank	CA	December 18, 2009	Three years from discovery pursuant to Cal. Civ. Proc. Code § 338(d).	Dismissal as to claims accruing before March 14, 2011.
Indymac Bank F.S.B.	CA	July 11, 2008	Three years from discovery pursuant to Cal. Civ. Proc. Code § 338(d).	Dismissal as to claims accruing before March 14, 2011.
La Jolla Bank, F.S.B.	CA	February 19, 2010	Three years from discovery pursuant to Cal. Civ. Proc. Code § 338(d).	Dismissal as to claims accruing before March 14, 2011.
Pacific National Bank	CA	October 30, 2009	Three years from discovery pursuant to Cal. Civ. Proc. Code § 338(d).	Dismissal as to claims accruing before March 14, 2011.
PFF Bank & Trust	CA	November 21, 2008	Three years from discovery pursuant to Cal. Civ. Proc. Code § 338(d).	Dismissal as to claims accruing before March 14, 2011.
San Diego National Bank	CA	October 30, 2009	Three years from discovery pursuant to Cal. Civ. Proc. Code § 338(d).	Dismissal as to claims accruing before March 14, 2011.
United Commercial Bank	CA	November 6, 2009	Three years from discovery pursuant to Cal. Civ. Proc. Code § 338(d).	Dismissal as to claims accruing before March 14, 2011.
United Western Bank	CO	January 21, 2011	Three years from discovery pursuant to Colo. Rev. Stat. Ann. §§ 13-80-101, 13-80-108.	Dismissal as to claims accruing before March 14, 2011.
BankUnited, F.S.B.	FL	May 21, 2009	Four years from discovery pursuant to Fla. Stat. Ann. §§ 95.11(j), 95.031(2)(a).	Dismissal as to claims accruing before March 14, 2010.

<b>Failed Financial Institution<sup>11</sup></b>	<b>State</b>	<b>FDIC Appointment<sup>12</sup></b>	<b>State Statute of Limitations for Fraud</b>	<b>Relief Requested<sup>13</sup></b>
Orion Bank	FL	November 13, 2009	Four years from discovery pursuant to Fla. Stat. Ann. §§ 95.11(j), 95.031(2)(a).	Dismissal as to claims accruing before March 14, 2010.
Georgian Bank	GA	September 25, 2009	Four years from discovery pursuant to Ga. Code Ann. §§ 9-3-31, 9-3-96.	Dismissal as to claims accruing before March 14, 2010.
Silverton Bank, N.A.	GA	May 1, 2009	Four years from discovery pursuant to Ga. Code Ann. §§ 9-3-31, 9-3-96.	Dismissal as to claims accruing before March 14, 2010.
Hillcrest Bank	KS	October 22, 2010	Two years after discovery pursuant to Kan. Stat. Ann. § 60-513(a)(3).	Dismissal as to claims accruing before March 14, 2011.
Amtrust Bank	OH	December 4, 2009	Four years from accrual pursuant to Ohio Rev. Code Ann. § 2305.09(C) (West); <i>see Sullivan v. Westfield Ins. Co.</i> , 2013 WL 221436, at *5 (Ohio Ct. App. 2013).	Dismissal as to claims accruing before March 14, 2010.
Washington Mutual Bank	NV	September 25, 2008	Three years after discovery pursuant to Nev. Rev. Stat. Ann. § 11.190(3)(d).	Dismissal as to claims accruing before March 14, 2011.
Eurobank	PR	April 30, 2010	One year pursuant to P.R. Laws Ann. tit. 31, §§ 5141, 5298.	Dismissal as to claims accruing before March 14, 2011.
R-G Premier Bank of Puerto Rico	PR	April 30, 2010	One year pursuant to P.R. Laws Ann. tit. 31, §§ 5141, 5298.	Dismissal as to claims accruing before March 14, 2011.
Westernbank Puerto Rico	PR	April 30, 2010	One year pursuant to P.R. Laws Ann. tit. 31, §§ 5141, 5298.	Dismissal as to claims accruing before March 14, 2011.

<b>Failed Financial Institution<sup>11</sup></b>	<b>State</b>	<b>FDIC Appointment<sup>12</sup></b>	<b>State Statute of Limitations for Fraud</b>	<b>Relief Requested<sup>13</sup></b>
Guaranty Bank	TX	August 21, 2009	Four years after the day of accrual pursuant to Tex. Civ. Prac. & Rem. Code § 16.004(a)(4) (West); <i>Seureau v. ExxonMobil Corp.</i> , 274 S.W.3d 206, 226 (Tex. App. 2008).	Dismissal as to claims accruing before March 14, 2010.
Frontier Bank	WA	April 30, 2010	Three years after discovery pursuant to Wash. Rev. Code Ann. § 4.16.080(4).	Dismissal as to claims accruing before March 14, 2011.

**E**

**Schedule E—Claims for Injunctive Relief**

<b>Amended Complaints Asserting Claims for Injunctive Relief</b>	<b>Relief Requested</b>
<i>Bay Area Toll Auth. v. Bank of Am. Corp.</i> , No. 14-cv-3094	Dismissal of all claims for injunctive relief as to all Defendants in all actions.
<i>CEMA Joint Venture v. Charter One Bank, N.A. et al.</i> , No. 13-cv-5511	
<i>Charles Schwab Corp. v. Bank of Am. Corp.</i> , No. 13-cv-7005	
<i>Darby Fin. Prods. v. Barclays Bank PLC</i> , No. 13-cv-8799	
<i>City of Houston v. Bank of Am. Corp.</i> , No. 13-cv-5616	
<i>City of Philadelphia v. Bank of Am. Corp.</i> , No. 13-cv-6020	
<i>Nat'l Credit Union Admin. Bd. v. Credit Suisse Grp. AG</i> , No. 13-cv-7394	
<i>Principal Fin. Grp., Inc. v. Bank of Am. Corp.</i> , No. 13-cv-6014	
<i>Principal Funds, Inc. v. Bank of Am. Corp.</i> , No. 13-cv-6013	
<i>Prudential Inv. Portfolios 2 v. Bank of Am. Corp.</i> , No. 14-cv-4189	
<i>Regents of the Univ. of Cal. et al. v. Bank of Am. Corp.</i> , No. 13-cv-5186	
<i>Salix Capital US Inc. v. Banc of Am. Securities LLC</i> , No. 13-cv-4018	

**F**



**Schedule F—Negligent Misrepresentation Claims****Schedule F.1—Dismissal of Negligent Misrepresentation Claims for Failure to Plead Substantive Elements**

<b>Amended Complaints Asserting Negligent Misrepresentation Claims</b>	<b>Relevant Claim(s) for Relief</b>	<b>Relief Requested</b>
<i>Fed. Dep. Ins. Corp. v. Bank of Am. Corp.</i> , No. 14-cv-1757	No. 16	Dismissal of all negligent misrepresentation claims as to all Defendants in all actions.
<i>City of Houston v. Bank of Am. Corp.</i> , No. 13-cv-5616	No. 3	
<i>Principal Fin. Grp., Inc. v. Bank of Am. Corp.</i> , No. 13-cv-6014	No. 7	
<i>Principal Funds, Inc. v. Bank of Am. Corp.</i> , No. 13-cv-6013	No. 7	
<i>Prudential Inv. Portfolios 2 v. Bank of Am. Corp.</i> , No. 14-cv-4189	No. 12	
<i>Regents of the Univ. of Cal. et al. v. Bank of Am. Corp.</i> , No. 13-cv-5186	No. 3	
<i>Triaxx Prime CDO 2006-1 Ltd. v. Bank of Am. Corp.</i> , No. 14-cv-00146	No. 4	

**Schedule F.2—Dismissal of Negligent Misrepresentation Claims by non-FDIC Plaintiffs as Untimely**

<b>Action<sup>1</sup></b>	<b>Date Filed<sup>2</sup></b>	<b>Applicable Statute of Limitations</b>	<b>Alleged Period of Relevant Conduct</b>	<b>Relief Requested</b>
<b>Actions Transferred from California</b>				
<i>City of Richmond v. Bank of Am. Corp., et al.</i> , No. 13-cv-0627 (CM) <sup>3</sup>	Jan. 9, 2013	Two years from discovery pursuant to Cal. Civ. Proc. Code § 339(1). <i>See, e.g., In re Countrywide Fin. Corp. Mortg.-Backed Sec. Litig.</i> , 834 F. Supp. 2d 949, 961 (C.D. Cal. 2012).	August of 2007 – March 2011 (Regents ¶ 6.)	Dismissal as to all negligent misrepresentation claims accruing before Jan. 9, 2011.
<i>City of Riverside v. Bank of Am. Corp., et al.</i> , No. 13-cv-0597 (CM)	Jan. 9, 2013	Two years from discovery pursuant to Cal. Civ. Proc. Code § 339(1). <i>See, e.g., In re Countrywide Fin. Corp. Mortg.-Backed Sec. Litig.</i> , 834 F. Supp. 2d 949, 961 (C.D. Cal. 2012).	August of 2007 – March 2011 (Regents ¶ 6.)	Dismissal as to all negligent misrepresentation claims accruing before Jan. 9, 2011.

<sup>1</sup> The below listed actions include only those against which Defendants are moving on statute of limitations grounds at this time.

<sup>2</sup> This reflects the filing date of the original complaint.

<sup>3</sup> This action and others in this Schedule that have the parenthetical (“CM”) have been consolidated into *Regents of the Univ. of Calif. v. Bank of Am. Corp.*, No. 13-cv-5186, and consist of claims brought on behalf of various California municipalities. Because the municipalities filed their actions on different dates, and therefore are subject to different statute of limitations periods, we have broken them out for purposes of this Schedule only even though the actions are now consolidated.

Action <sup>1</sup>	Date Filed <sup>2</sup>	Applicable Statute of Limitations	Alleged Period of Relevant Conduct	Relief Requested
<i>Cnty. of Mendocino v. Bank of Am. Corp., et al.</i> , No. 13-cv-8644 (CM)	Nov. 11, 2013	Two years from discovery pursuant to Cal. Civ. Proc. Code § 339(1). <i>See, e.g., In re Countrywide Fin. Corp. Mortg.-Backed Sec. Litig.</i> , 834 F. Supp. 2d 949, 961 (C.D. Cal. 2012).	August of 2007 – March 2011 (Regents ¶ 6.)	Dismissal as to all negligent misrepresentation claims accruing before Nov. 11, 2011.
<i>Cnty. of Sacramento v. Bank of Am. Corp., et al.</i> , No. 13-cv-5569 (CM)	July 23, 2013	Two years from discovery pursuant to Cal. Civ. Proc. Code § 339(1). <i>See, e.g., In re Countrywide Fin. Corp. Mortg.-Backed Sec. Litig.</i> , 834 F. Supp. 2d 949, 961 (C.D. Cal. 2012).	August of 2007 – March 2011 (Regents ¶ 6.)	Dismissal as to all negligent misrepresentation claims accruing before July 23, 2011.
<i>Cnty. of San Diego v. Bank of Am. Corp., et al.</i> , No. 13-cv-0667 (CM)	Jan. 9, 2013	Two years from discovery pursuant to Cal. Civ. Proc. Code § 339(1). <i>See, e.g., In re Countrywide Fin. Corp. Mortg.-Backed Sec. Litig.</i> , 834 F. Supp. 2d 949, 961 (C.D. Cal. 2012).	August of 2007 – March 2011 (Regents ¶ 6.)	Dismissal as to all negligent misrepresentation claims accruing before Jan. 9, 2011.

Action <sup>1</sup>	Date Filed <sup>2</sup>	Applicable Statute of Limitations	Alleged Period of Relevant Conduct	Relief Requested
<i>Cnty. of San Mateo v. Bank of Am. Corp., et al.</i> , No. 13-cv-0625 (CM)	Jan. 9, 2013	Two years from discovery pursuant to Cal. Civ. Proc. Code § 339(1). <i>See, e.g., In re Countrywide Fin. Corp. Mortg.-Backed Sec. Litig.</i> , 834 F. Supp. 2d 949, 961 (C.D. Cal. 2012).	August of 2007 – March 2011 (Regents ¶ 6.)	Dismissal as to all negligent misrepresentation claims accruing before Jan. 9, 2011.
<i>Cnty. of Sonoma v. Bank of Am. Corp., et al.</i> , No. 13-cv-5187 (CM)	June 28, 2013	Two years from discovery pursuant to Cal. Civ. Proc. Code § 339(1). <i>See, e.g., In re Countrywide Fin. Corp. Mortg.-Backed Sec. Litig.</i> , 834 F. Supp. 2d 949, 961 (C.D. Cal. 2012).	August of 2007 – March 2011 (Regents ¶ 6.)	Dismissal as to all negligent misrepresentation claims accruing before June 28, 2011.
<i>E. Bay Mun. Util. Dist. v. Bank of Am. Corp., et al.</i> , No. 13-cv-0626 (CM)	Jan. 9, 2013	Two years from discovery pursuant to Cal. Civ. Proc. Code § 339(1). <i>See, e.g., In re Countrywide Fin. Corp. Mortg.-Backed Sec. Litig.</i> , 834 F. Supp. 2d 949, 961 (C.D. Cal. 2012).	August of 2007 – March 2011 (Regents ¶ 6.)	Dismissal as to all negligent misrepresentation claims accruing before Jan. 9, 2011.

Action <sup>1</sup>	Date Filed <sup>2</sup>	Applicable Statute of Limitations	Alleged Period of Relevant Conduct	Relief Requested
<i>Regents of the Univ. of Cal. v. Bank of Am. Corp., et al.</i> , No. 13-cv-5186 (CM)	June 25, 2013	Two years from discovery pursuant to Cal. Civ. Proc. Code § 339(1). <i>See, e.g., In re Countrywide Fin. Corp. Mortg.-Backed Sec. Litig.</i> , 834 F. Supp. 2d 949, 961 (C.D. Cal. 2012).	August of 2007 – March 2011 (Regents ¶ 6.)	Dismissal as to all negligent misrepresentation claims accruing before June 25, 2011.
<i>San Diego Ass’n of Gov’ts v. Bank of Am. Corp., et al.</i> , No. 13-cv-5221 (CM)	June 25, 2013	Two years from discovery pursuant to Cal. Civ. Proc. Code § 339(1). <i>See, e.g., In re Countrywide Fin. Corp. Mortg.-Backed Sec. Litig.</i> , 834 F. Supp. 2d 949, 961 (C.D. Cal. 2012).	August of 2007 – March 2011 (Regents ¶ 6.)	Dismissal as to all negligent misrepresentation claims accruing before June 25, 2011.

Action <sup>1</sup>	Date Filed <sup>2</sup>	Applicable Statute of Limitations	Alleged Period of Relevant Conduct	Relief Requested
<b>Actions Transferred from New Jersey</b>				
<i>Prudential Inv. Portfolios 2, et al. v. Bank of Am. Corp., et al.</i> , No. 14-cv-4189	May 19, 2014	For negligent misrepresentation claims, New Jersey does not have a specific limitations statute, but applies a general six-year statute of limitations pursuant to N.J.S.A. 2A:14-1. <i>See Goodman v. Goldman, Sachs &amp; Co.</i> , 2010 WL 5186180, at *5 (D.N.J. Dec. 14, 2010).	August 2007 – end of 2010 (Prudential ¶ 3.)	Dismissal as to all negligent misrepresentation claims accruing before May 19, 2008.
<b>Actions Transferred from Iowa</b>				
<i>Principal Fin. Grp., Inc., et al. v. Bank of Am. Corp., et al.</i> , No. 13-cv-6014	Aug. 1, 2013	Five years pursuant to Iowa Code Ann. §§ 614.1(4) & 614.4 (West); <i>see also In re Fibred Props. Ltd. P'ship</i> , 36 F. App'x 574, 575 (8th Cir. 2002), applicable pursuant to N.Y. CPLR § 202.	August 2007 – May 2010 (Principal Fin. ¶ 2.)	Dismissal as to all negligent misrepresentation claims accruing before Aug. 1, 2008 (original defendants)/October 6, 2009 (new defendants). <sup>4</sup>

<sup>4</sup>As to the Defendants first named by Principal Financial Group and Principal Funds in their amended complaints filed October 6, 2014, dismissal is requested as to all claims accruing before October 6, 2009: As to Principal Funds, these are Barclays Capital, Inc.; Citigroup Global Markets, Inc.; Credit Suisse AG; Credit Suisse Securities (USA) LLC; Deutsche Bank Securities, Inc.; J.P. Morgan Securities, LLC; Lloyds Bank PLC; Merrill Lynch, Pierce, Fenner & Smith, Inc.; The Royal Bank of Scotland PLC; RBS Securities, Inc.; and UBS Securities LLC.

As to Principal Financial Group: Barclays Capital, Inc.; Chase Bank USA, N.A.; Citigroup Global Markets, Inc.; Credit Suisse AG; Credit Suisse International; Credit Suisse Securities (USA) LLC; (....continued)

Action <sup>1</sup>	Date Filed <sup>2</sup>	Applicable Statute of Limitations	Alleged Period of Relevant Conduct	Relief Requested
<i>Principal Funds, Inc., et al. v. Bank of Am. Corp., et al.</i> , No. 13-cv-6013	Aug. 1, 2013	Five years pursuant to Iowa Code Ann. §§ 614.1(4) & 614.4; <i>see also In re Fibred Props. Ltd. P'ship</i> , 36 F. App'x 574, 575 (8th Cir. 2002), applicable pursuant to N.Y. CPLR § 202.	August 2007 – May 2010. (Principal Funds ¶ 2.)	Dismissal as to all negligent misrepresentation claims accruing before Aug. 1, 2008 (original defendants)/October 6, 2009 (new defendants). <sup>5</sup>
<b>Actions Filed in New York</b>				
<i>Triaxx v. Bank of Am. Corp., et al.</i> , No. 14-cv-0146	Dec. 20, 2013	Six years from the date the cause of action accrued or two years from the time the plaintiff discovered the fraud. <i>See 14 Bruckner LLC v. 14 Bruckner Blvd. Realty Corp.</i> , 909 N.Y.S.2d 630, 631 (N.Y. App. Div. 2010); N.Y. C.P.L.R. § 213(8).	2005 – 2010. (Triaxx ¶ 5.)	Dismissal as to all negligent misrepresentation claims accruing before Dec. 20, 2007.

(continued....)

Deutsche Bank Securities, Inc.; J.P. Morgan Dublin PLC; J.P. Morgan Securities, LLC; Lloyds Bank PLC; Merrill Lynch Capital Services, Inc.; Merrill Lynch, Pierce, Fenner & Smith, Inc.; The Royal Bank of Scotland PLC; RBS Securities, Inc.; and UBS Securities LLC. Additionally, Credit Suisse International; Credit Suisse Securities (USA) LLC; Credit Suisse AG, and Deutsche Bank Securities, Inc., have not yet been served in either action and reserve their rights if plaintiffs fail to timely effect service.

<sup>5</sup>See *supra* note 4.

**Schedule F.3—Dismissal of Negligent Misrepresentation Claims by FDIC Plaintiffs  
as Untimely**

***Federal Deposit Insurance Corp. v. Bank of America Corp.*, 14-cv-1757**

Date Filed: March 14, 2014<sup>6</sup>

Alleges conduct occurred from August 2007 – mid-2011. (FDIC Compl. ¶ 288; *see also* *id.* ¶¶ 293, 297).

<b>Failed Financial Institution<sup>7</sup></b>	<b>State</b>	<b>FDIC Appointment<sup>8</sup></b>	<b>State Statute of Limitations for Negligent Misrepresentation</b>	<b>Relief Requested<sup>9</sup></b>
Colonial Bank	AL	August 14, 2009	Two years, pursuant to Ala. Code § 6-2-38(l); <i>Fowler v. Provident Life &amp; Accident Ins. Co.</i> , 256 F. Supp. 2d 1243, 1248 (N.D. Ala. 2003). <sup>10</sup>	Dismissal as to claims accruing before March 14, 2011.
Superior Bank	AL	April 15, 2011	Two years, pursuant to Ala. Code § 6-2-38(l); <i>Fowler v. Provident Life &amp; Accident Ins. Co.</i> , 256 F. Supp. 2d 1243, 1248 (N.D. Ala. 2003).	Dismissal as to claims accruing before April 15, 2009.
Downey Savings and Loan Association, F.A.	CA	November 21, 2008	Two years after discovery, pursuant to Cal. Civ. Proc. Code § 339(1); <i>Platt Elec. Supply, Inc. v. EOFF Elec., Inc.</i> , 522 F.3d 1049, 1054 (9th Cir. 2008).	Dismissal as to claims accruing before March 14, 2011.

<sup>6</sup> This reflects the filing date of the original complaint.

<sup>7</sup> The below listed financial institutions include only those whose claims the Defendants are moving against on statute of limitations grounds at this time.

<sup>8</sup> The FDIC Extender statute defines the accrual date as the later of the date of the appointment as conservator or receiver or “the date on which the cause of action accrues.” *See* 12 U.S.C. § 1821(d)(14)(B).

<sup>9</sup> This column applies the FDIC Extender Statute, under which the applicable statute of limitations for the negligent misrepresentation claims alleged by the FDIC is the longer of either (1) the three-year period beginning on the date the claim accrues or (2) the period applicable under state law. 12 U.S.C. § 1821(d)(14)(A).

<sup>10</sup> Because the FDIC complaint was filed in New York, the applicable state law limitations period is New York’s, unless a shorter limitations period would be applicable under New York’s borrowing statute. Nevertheless, any shorter limitations period is effectively irrelevant because the Extender Statute applies the longer of its three-year limitations period and the applicable state law limitations period. *See* 12 U.S.C. § 1821(d)(14)(A)(ii).



<b>Failed Financial Institution<sup>7</sup></b>	<b>State</b>	<b>FDIC Appointment<sup>8</sup></b>	<b>State Statute of Limitations for Negligent Misrepresentation</b>	<b>Relief Requested<sup>9</sup></b>
California National Bank	CA	October 30, 2009	Two years after discovery, pursuant to Cal. Civ. Proc. Code § 339(1); <i>Platt Elec. Supply, Inc. v. EOFF Elec., Inc.</i> , 522 F.3d 1049, 1054 (9th Cir. 2008).	Dismissal as to claims accruing before March 14, 2011.
First Federal Bank of California, F.S.B.	CA	December 18, 2009	Two years after discovery, pursuant to Cal. Civ. Proc. Code § 339(1); <i>Platt Elec. Supply, Inc. v. EOFF Elec., Inc.</i> , 522 F.3d 1049, 1054 (9th Cir. 2008).	Dismissal as to claims accruing before March 14, 2011.
First Regional Bank	CA	January 29, 2010	Two years after discovery, pursuant to Cal. Civ. Proc. Code § 339(1); <i>Platt Elec. Supply, Inc. v. EOFF Elec., Inc.</i> , 522 F.3d 1049, 1054 (9th Cir. 2008).	Dismissal as to claims accruing before March 14, 2011.
Imperial Capital Bank	CA	December 18, 2009	Two years after discovery, pursuant to Cal. Civ. Proc. Code § 339(1); <i>Platt Elec. Supply, Inc. v. EOFF Elec., Inc.</i> , 522 F.3d 1049, 1054 (9th Cir. 2008).	Dismissal as to claims accruing before March 14, 2011.
Indymac Bank F.S.B.	CA	July 11, 2008	Two years after discovery, pursuant to Cal. Civ. Proc. Code § 339(1); <i>Platt Elec. Supply, Inc. v. EOFF Elec., Inc.</i> , 522 F.3d 1049, 1054 (9th Cir. 2008).	Dismissal as to claims accruing before March 14, 2011.
La Jolla Bank, F.S.B.	CA	February 19, 2010	Two years after discovery, pursuant to Cal. Civ. Proc. Code § 339(1); <i>Platt Elec. Supply, Inc. v. EOFF Elec., Inc.</i> , 522 F.3d 1049, 1054 (9th Cir. 2008).	Dismissal as to claims accruing before March 14, 2011.
Pacific National Bank	CA	October 30, 2009	Two years after discovery, pursuant to Cal. Civ. Proc. Code § 339(1); <i>Platt Elec. Supply, Inc. v. EOFF Elec., Inc.</i> , 522 F.3d 1049, 1054 (9th Cir. 2008).	Dismissal as to claims accruing before March 14, 2011.

<b>Failed Financial Institution<sup>7</sup></b>	<b>State</b>	<b>FDIC Appointment<sup>8</sup></b>	<b>State Statute of Limitations for Negligent Misrepresentation</b>	<b>Relief Requested<sup>9</sup></b>
PFF Bank & Trust	CA	November 21, 2008	Two years after discovery, pursuant to Cal. Civ. Proc. Code § 339(1); <i>Platt Elec. Supply, Inc. v. EOFF Elec., Inc.</i> , 522 F.3d 1049, 1054 (9th Cir. 2008).	Dismissal as to claims accruing before March 14, 2011.
San Diego National Bank	CA	October 30, 2009	Two years after discovery, pursuant to Cal. Civ. Proc. Code § 339(1); <i>Platt Elec. Supply, Inc. v. EOFF Elec., Inc.</i> , 522 F.3d 1049, 1054 (9th Cir. 2008).	Dismissal as to claims accruing before March 14, 2011.
United Commercial Bank	CA	November 6, 2009	Two years after discovery, pursuant to Cal. Civ. Proc. Code § 339(1); <i>Platt Elec. Supply, Inc. v. EOFF Elec., Inc.</i> , 522 F.3d 1049, 1054 (9th Cir. 2008).	Dismissal as to claims accruing before March 14, 2011.
Community Banks of Colorado	CO	October 21, 2011	Two years after discovery, pursuant to Colo. Rev. Stat. § 13-80-102(1)(a); <i>Callaham v. First American Title Ins. Co.</i> , 837 P.2d 769, 771 (Colo. Ct. App. 1992)).	Dismissal as to claims accruing before March 14, 2011.
United Western Bank	CO	January 21, 2011	Two years after discovery, pursuant to Colo. Rev. Stat. § 13-80-102(1)(a); <i>Callaham v. First American Title Ins. Co.</i> , 837 P.2d 769, 771 (Colo. Ct. App. 1992)).	Dismissal as to claims accruing before March 14, 2011.
BankUnited, F.S.B.	FL	May 21, 2009	Four years after discovery, pursuant to Fla. Stat. Ann. § 95.11(3)(a); <i>Allocco v. City of Coral Gables</i> , 221 F. Supp. 2d 1317, 1359 n.17 (S.D. Fla. 2002), <i>aff'd</i> , 88 F. App'x 380 (11th Cir. 2003).	Dismissal as to claims accruing before March 14, 2010.

<b>Failed Financial Institution<sup>7</sup></b>	<b>State</b>	<b>FDIC Appointment<sup>8</sup></b>	<b>State Statute of Limitations for Negligent Misrepresentation</b>	<b>Relief Requested<sup>9</sup></b>
Lydian Private Bank	FL	August 19, 2011	Four years after discovery, pursuant to Fla. Stat. Ann. § 95.11(3)(a); <i>Allocco v. City of Coral Gables</i> , 221 F. Supp. 2d 1317, 1359 n.17 (S.D. Fla. 2002), <i>aff'd</i> , 88 F. App'x 380 (11th Cir. 2003).	Dismissal as to claims accruing before August 19, 2007.
Orion Bank	FL	November 13, 2009	Four years after discovery, pursuant to Fla. Stat. Ann. § 95.11(3)(a); <i>Allocco v. City of Coral Gables</i> , 221 F. Supp. 2d 1317, 1359 n.17 (S.D. Fla. 2002), <i>aff'd</i> , 88 F. App'x 380 (11th Cir. 2003).	Dismissal as to claims accruing before March 14, 2010.
Georgian Bank	GA	September 25, 2009	Four years after discovery, pursuant to Ga. Stat. § 9-3-31; <i>PricewaterhouseCoopers, LLP v. Bassett</i> , 293 Ga. App. 274, 278 n.6 (2008).	Dismissal as to claims accruing before March 14, 2010.
Silverton Bank, N.A.	GA	May 1, 2009	Four years after discovery, pursuant to Ga. Stat. § 9-3-31; <i>PricewaterhouseCoopers, LLP v. Bassett</i> , 293 Ga. App. 274, 278 n.6 (2008).	Dismissal as to claims accruing before March 14, 2010.
Hillcrest Bank	KS	October 22, 2010	Two years from when the injury becomes “reasonably ascertainable,” pursuant to Kan. Stat. Ann. § 60-513(a)(4), § 60-513(b); <i>Karlin v. Paul Revere Life Ins. Co.</i> , 742 F. Supp. 2d 1253, 1267 (D. Kan. 2010).	Dismissal as to claims accruing before March 14, 2011.
Amtrust Bank	OH	December 4, 2009	Four years pursuant to Ohio Rev. Code Ann. 2305.09(D) (West); <i>see Schnippel Constr., Inc. v. Profitt</i> , 2009-Ohio-5905, at *3 (Nov. 9, 2009).	Dismissal as to claims accruing before March 14, 2010.

<b>Failed Financial Institution<sup>7</sup></b>	<b>State</b>	<b>FDIC Appointment<sup>8</sup></b>	<b>State Statute of Limitations for Negligent Misrepresentation</b>	<b>Relief Requested<sup>9</sup></b>
Washington Mutual Bank	NV	September 25, 2008	Three years after discovery pursuant to Nev. Rev. Stat. Ann. § 11.190(3)(d); <i>see Kancilia v. Claymore &amp; Dirk Ltd. P'ship</i> , 2014 WL 3731862, at *1 (Nev. July 24, 2014).	Dismissal as to claims accruing before March 14, 2011.
Eurobank	PR	April 30, 2010	One year pursuant to P.R. Laws Ann. tit. 31, §§ 5141, 5298; <i>see Doe 171 v. Order of Saint Benedict</i> , 2012 WL 1410320, at *3 n.3 (D.P.R. Apr. 20, 2012).	Dismissal as to claims accruing before March 14, 2011.
R-G Premier Bank of Puerto Rico	PR	April 30, 2010	One year pursuant to P.R. Laws Ann. tit. 31, §§ 5141, 5298; <i>see Doe 171 v. Order of Saint Benedict</i> , 2012 WL 1410320, at *3 n.3 (D.P.R. Apr. 20, 2012).	Dismissal as to claims accruing before March 14, 2011.
Westernbank Puerto Rico	PR	April 30, 2010	One year pursuant to P.R. Laws Ann. tit. 31, §§ 5141, 5298; <i>see Doe 171 v. Order of Saint Benedict</i> , 2012 WL 1410320, at *3 n.3 (D.P.R. Apr. 20, 2012).	Dismissal as to claims accruing before March 14, 2011.
First National Bank	TX	September 13, 2013	Two years from discovery pursuant to Tex. Civ. Prac. & Rem. Code § 16.003(a); <i>Malik v. ConocoPhillips Co.</i> , 2014 WL 3420775, at *3 (E.D. Tex. June 23, 2014).	Dismissal as to claims accruing before March 14, 2011.
Guaranty Bank	TX	August 21, 2009	Two years from discovery pursuant to Tex. Civ. Prac. & Rem. Code § 16.003(a); <i>Malik v. ConocoPhillips Co.</i> , 2014 WL 3420775, at *3 (E.D. Tex. June 23, 2014).	Dismissal as to claims accruing before March 14, 2011.
Frontier Bank	WA	April 30, 2010	Three years after discovery pursuant to Wash. Rev. Code Ann. § 4.16.080(4).	Dismissal as to claims accruing before March 14, 2011.

**G**

**Schedule G—Personal Jurisdiction**

<b>Amended Complaints</b>	<b>Jurisdiction Filed</b>	<b>Defendants Moving to Dismiss</b>	<b>Relief Requested</b>
<i>Amabile v. Bank of Am. Corp.</i> , No. 13-cv-1700	S.D.N.Y.	BTMU <sup>1</sup> CSGAG <sup>2</sup> Deutsche Bank AG HBOS PLC HSBC Holdings PLC HSBC Bank PLC <sup>3</sup> Lloyds Banking Group plc Norinchukin Bank Portigon AG Royal Bank of Canada RBS Group <sup>4</sup>	Dismissal for lack of personal jurisdiction as to all claims.  * Indicates defendant moving against all claims except breach of contract and/or breach of implied covenant of good faith and fair dealing claims brought by a contracting plaintiff.
<i>Bay Area Toll Auth. v. Bank of Am. Corp., et al.</i> , No. 14 Civ. 3094	N.D. Cal.	Bank of America Corporation Bank of America, N.A. Barclays Bank PLC BBA <sup>5</sup> BBA Enterprises Ltd. BBA LIBOR Ltd. BTMU Citibank, N.A. Citigroup Financial Products, Inc. Citigroup Inc. CSGAG Deutsche Bank AG HBOS PLC HSBC Holdings PLC HSBC Bank PLC JPMorgan Chase & Co. JPMorgan Chase Bank, N.A. Lloyds Banking Group plc	

<sup>1</sup> The Bank of Tokyo-Mitsubishi UFJ, Ltd. will be referred to as “BTMU” throughout this Schedule.

<sup>2</sup> Credit Suisse Group AG will be referred to as “CSGAG” throughout this Schedule.

<sup>3</sup> HSBC Bank PLC is not named in the case caption but is referred to as a defendant in ¶ 65 of the Amended Complaint.

<sup>4</sup> The Royal Bank of Scotland Group plc will be referred to as “RBS Group” throughout this Schedule.

<sup>5</sup> The British Bankers’ Association will be referred to as “BBA” throughout this Schedule.

Amended Complaints	Jurisdiction Filed	Defendants Moving to Dismiss	Relief Requested
		Norinchukin Bank Portigon AG Rabobank <sup>6</sup> RBS Group Royal Bank of Canada UBS AG WestImmo	
<i>CEMA Joint Venture v. Charter One Bank, N.A.</i> , No. 13-cv-5511	N.D. OH.	RBS Group	
<i>Charles Schwab Corp., et al. v. Bank of Am. Corp., et al.</i> , No. 13 Civ. 7005	Cal. Super. Ct.	Bank of America Corporation Bank of America, N.A. Barclays Bank PLC BTMU Citibank, N.A. Citigroup Inc. CSGAG Deutsche Bank AG HBOS PLC HSBC Holdings PLC HSBC Bank PLC JPMorgan Chase & Co. JPMorgan Chase Bank, N.A. Lloyds Banking Group plc Norinchukin Bank Portigon AG Rabobank RBS Group Royal Bank of Canada UBS AG WestImmo	

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<sup>6</sup> Coöperatieve Centrale Raiffeisen-Boerenleenbank B.A. will be referred to as “Rabobank” throughout this Schedule.

<b>Amended Complaints</b>	<b>Jurisdiction Filed</b>	<b>Defendants Moving to Dismiss</b>	<b>Relief Requested</b>
<i>City of Houston v. Bank of Am. Corp., et al.</i> , No. 13 Civ. 05616	S.D. Tex.	Bank of America Corporation Bank of America, N.A. Barclays Bank PLC BTMU Citibank, N.A. Citigroup Inc. CSGAG Deutsche Bank AG HBOS PLC HSBC Holdings PLC HSBC Bank PLC JPMorgan Chase & Co. JPMorgan Chase Bank, N.A. Lloyds Banking Group plc Norinchukin Bank Portigon AG Rabobank RBS Group Royal Bank of Canada Société Générale WestImmo	
<i>City of Philadelphia, et al. v. Bank of Am. Corp., et al.</i> , No. 13 Civ. 06020	E.D. Pa.	Bank of America Corporation Bank of America, N.A. Barclays Bank PLC Citibank, N.A. Citigroup Financial Products, Inc. CSGAG Deutsche Bank AG JPMorgan Chase & Co. JPMorgan Chase Bank, N.A. RBS plc <sup>7</sup> Royal Bank of Canada UBS AG	
<i>City of Richmond, et al. v. Bank of Am. Corp., et al.</i> , No. 13 Civ. 00627	N.D. Cal.	Bank of America Corporation Bank of America, N.A. Barclays Bank PLC BTMU Citibank, N.A. Citigroup Inc. CSGAG	

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<sup>7</sup> The Royal Bank of Scotland plc will be referred to as “RBS plc” throughout this Schedule.



Amended Complaints	Jurisdiction Filed	Defendants Moving to Dismiss	Relief Requested
		Deutsche Bank AG HBOS PLC HSBC Holdings PLC HSBC Bank PLC JPMorgan Chase & Co. JPMorgan Chase Bank, N.A. Lloyds Banking Group plc Norinchukin Bank Portigon AG Rabobank RBS Group Royal Bank of Canada Société Générale UBS AG WestImmo	
<i>City of Riverside, et al. v. Bank of Am. Corp., et al.</i> , No. 13 Civ. 00597	C.D. Cal.	Bank of America Corporation Bank of America, N.A. Barclays Bank PLC BTMU Citibank, N.A. Citigroup Inc. CSGAG Deutsche Bank AG HBOS PLC HSBC Holdings PLC HSBC Bank PLC JPMorgan Chase & Co. JPMorgan Chase Bank, N.A. Lloyds Banking Group plc Norinchukin Bank Portigon AG Rabobank RBS Group Royal Bank of Canada Société Générale UBS AG WestImmo	
<i>Cnty. of Mendocino v. Bank of Am. Corp., et al.</i> , No. 13 Civ. 08644	N.D. Cal.	Bank of America Corporation Bank of America, N.A. Barclays Bank PLC BTMU Citibank, N.A. Citigroup Inc. CSGAG	

Amended Complaints	Jurisdiction Filed	Defendants Moving to Dismiss	Relief Requested
		Deutsche Bank AG HBOS PLC HSBC Holdings PLC HSBC Bank PLC JPMorgan Chase & Co. JPMorgan Chase Bank, N.A. Lloyds Banking Group plc Norinchukin Bank Portigon AG Rabobank RBS Group Royal Bank of Canada Société Générale UBS AG WestImmo	
<i>Cnty. of Sacramento v. Bank of Am., et al.</i> , No. 13 Civ. 05569	E.D. Cal.	Bank of America Corporation Bank of America, N.A. Barclays Bank PLC BTMU Citibank, N.A. Citigroup Inc. Deutsche Bank AG* CSGAG HBOS PLC HSBC Holdings PLC HSBC Bank PLC JPMorgan Chase & Co. JPMorgan Chase Bank, N.A. Lloyds Banking Group plc Norinchukin Bank Portigon AG Rabobank RBS Group Royal Bank of Canada Société Générale UBS AG WestImmo	
<i>Cnty. of San Diego v. Bank of Am. Corp., et al.</i> , No. 13 Civ. 00667	S.D. Cal.	Bank of America Corporation Bank of America, N.A. Barclays Bank PLC BTMU Citibank, N.A.* Citigroup Inc. CSGAG	

Amended Complaints	Jurisdiction Filed	Defendants Moving to Dismiss	Relief Requested
		Deutsche Bank AG HBOS PLC HSBC Holdings PLC HSBC Bank PLC JPMorgan Chase & Co. JPMorgan Chase Bank, N.A. Lloyds Banking Group plc Norinchukin Bank Portigon AG Rabobank RBS Group Royal Bank of Canada Société Générale UBS AG WestImmo	
<i>Cnty. of San Mateo, et al. v. Bank of Am. Corp., et al.</i> , No. 13 Civ. 00625	N.D. Cal.	Bank of America Corporation Bank of America, N.A. Barclays Bank PLC BTMU Citibank, N.A. Citigroup Inc. CSGAG Deutsche Bank AG HBOS PLC HSBC Holdings PLC HSBC Bank PLC JPMorgan Chase & Co. JPMorgan Chase Bank, N.A. Lloyds Banking Group plc Norinchukin Bank Portigon AG Rabobank RBS Group Royal Bank of Canada Société Générale UBS AG WestImmo	
<i>Cnty. of Sonoma, et al. v. Bank of Am. Corp., et al.</i> , No. 13 Civ. 05187	N.D. Cal.	Bank of America Corporation Bank of America, N.A. Barclays Bank PLC BTMU Citibank, N.A. Citigroup Inc. CSGAG	

Amended Complaints	Jurisdiction Filed	Defendants Moving to Dismiss	Relief Requested
		Deutsche Bank AG HBOS PLC HSBC Holdings PLC HSBC Bank PLC JPMorgan Chase & Co. JPMorgan Chase Bank, N.A. Lloyds Banking Group plc Norinchukin Bank Portigon AG Rabobank RBS Group Royal Bank of Canada UBS AG WestImmo	
<i>Darby Fin. Products, et al. v. Barclays Bank plc, et al.</i> , No. 13 Civ. 08799	N.Y. Sup. Ct.	Barclays Bank PLC Deutsche Bank AG J.P. Morgan Dublin plc UBS Limited RBS plc	
<i>East Bay Municipal Utility Dist. v. Bank of Am. Corp. et al.</i> , No. 13 Civ. 00626	N.D. Cal.	Bank of America Corporation Bank of America, N.A. Barclays Bank PLC BTMU Citibank, N.A. Citigroup Inc. CSGAG Deutsche Bank AG HBOS PLC HSBC Holdings PLC HSBC Bank PLC JPMorgan Chase & Co. Lloyds Banking Group plc JPMorgan Chase Bank, N.A. Norinchukin Bank Portigon AG Rabobank RBS Group Royal Bank of Canada Société Générale UBS AG WestImmo	
<i>Fed. Deposit Ins. Corp. as Receiver for 38 Closed Banks</i>	S.D.N.Y.	Barclays Bank PLC* BBA BBA Enterprises Ltd.	

Amended Complaints	Jurisdiction Filed	Defendants Moving to Dismiss	Relief Requested
<i>v. Bank of Am. Corp.</i> , No. 14-cv-1757		BBA LIBOR Ltd. BTMU CSGAG Credit Suisse Int'l* HBOS PLC HSBC Holdings PLC Deutsche Bank AG* Hong Kong and Shanghai Banking Corp. Ltd. J.P. Morgan Dublin plc J.P. Morgan Markets Limited Lloyds Banking Group plc Lloyds TSB Bank plc MLIB <sup>8</sup> Norinchukin Bank Portigon AG Rabobank Royal Bank of Canada* Société Générale RBS plc*	

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<sup>8</sup> Merrill Lynch International Bank will be referred to as “MLIB” throughout this Schedule.

<b>Amended Complaints</b>	<b>Jurisdiction Filed</b>	<b>Defendants Moving to Dismiss</b>	<b>Relief Requested</b>
<i>Fed. Home Loan Mortg. Corp. v. Bank of Am. Corp. et al.</i> , No. 13 Civ. 03952	E.D. Va.	Bank of America Corporation Bank of America, N.A. Barclays Bank PLC BBA BBA Enterprises Ltd. BBA LIBOR Ltd. BTMU Citibank, N.A. Citigroup Inc. CSGAG Credit Suisse Int'l Deutsche Bank AG HBOS PLC HSBC Holdings PLC JPMorgan Chase & Co. JPMorgan Chase Bank, N.A. Lloyds Banking Group plc Lloyds Bank plc <sup>9</sup> Norinchukin Bank Rabobank RBS Group RBS plc Royal Bank of Canada Portigon AG Société Générale	
<i>Fed. Nat. Mortg. Ass'n v. Barclays Bank PLC</i> , No. 13-cv-7720	S.D.N.Y.	Barclays Bank PLC* BBA BBA LIBOR Ltd. CSGAG Credit Suisse Int'l* Rabobank RBS Group RBS plc*	
<i>Maragos v. Bank of Am. Corp.</i> , No. 13-cv-2297	N.Y. Sup. Ct.	BTMU CSGAG Deutsche Bank AG HBOS PLC HSBC Holdings PLC HSBC Bank PLC Lloyds Banking Group plc Norinchukin Bank	

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<sup>9</sup> Formerly known as Lloyds TSB Bank PLC.

Amended Complaints	Jurisdiction Filed	Defendants Moving to Dismiss	Relief Requested
		Barclays Bank PLC Rabobank Royal Bank of Canada RBS Group	
<i>Nat'l Credit Union Admin. Bd. v. Credit Suisse Grp. AG</i> (13-cv-7394)	D. Kan.	Bank of America Corporation Bank of America, N.A. Barclays Bank PLC Barclays Capital Inc. BTMU Citigroup Inc. Citibank, N.A. Citigroup Financial Products Inc. Citi Swapco Inc. CSGAG Credit Suisse Group International Deutsche Bank AG HBOS PLC HSBC Holdings PLC HSBC Bank USA, N.A. JPMorgan Chase & Co. JPMorgan Chase Bank N.A. Lloyds Banking Group plc Norinchukin Bank Portigon AG Rabobank Rabobank International <sup>10</sup> RBS Group Royal Bank of Canada Société Générale WestImmo	
<i>Principal Funds, Inc. v. Bank of Am. Corp.</i> (13-cv-6013)	S.D. Iowa	Bank of America Corporation Bank of America, N.A. Barclays Bank PLC Barclays Capital Inc. BBA BBA Enterprises Ltd. BBA LIBOR Ltd.	

<sup>10</sup> NCUA lists “Rabobank International” as a defendant in the caption of the complaint. “Rabobank International” is the name by which Rabobank is referred outside of the Netherlands. It is not a legal entity separate from Rabobank. It should be dismissed for this reason.

Amended Complaints	Jurisdiction Filed	Defendants Moving to Dismiss	Relief Requested
		Citibank, N.A. Citigroup Inc. CSGAG Credit Suisse AG Credit Suisse Securities (USA) LLC Deutsche Bank AG Deutsche Bank Securities, Inc. HBOS PLC JPMorgan Chase & Co. JPMorgan Chase Bank N.A. Lloyds Banking Group plc Lloyds Bank plc Rabobank RBS Group RBS plc Royal Bank of Canada	
<i>Principal Fin. Grp., Inc. v. Bank of Am. Corp.</i> (13-cv-6014)	S.D. Iowa	Bank of America Corporation Bank of America, N.A. Barclays Bank PLC Barclays Capital Inc. BBA BBA Enterprises Ltd. BBA LIBOR Ltd. Chase Bank, USA, N.A. Citibank, N.A. Citigroup Inc. CSGAG Credit Suisse AG Credit Suisse Int'l Credit Suisse Securities (USA) LLC Deutsche Bank AG Deutsche Bank Securities, Inc. HBOS PLC JPMorgan Chase & Co. JPMorgan Chase Bank N.A. J.P. Morgan Dublin plc Lloyds Banking Group plc	



Amended Complaints	Jurisdiction Filed	Defendants Moving to Dismiss	Relief Requested
		Lloyds Bank plc MLCS <sup>11</sup> Rabobank RBS Group RBS plc Royal Bank of Canada	
<i>Prudential Investment Portfolios 2 v. Bank of Am. Corp., et al.</i> , No. 14 Civ. 04189	D.N.J.	Bank of America Corporation Bank of America, N.A. Barclays PLC Barclays Bank PLC Barclays Capital Inc. Citibank, N.A. Citigroup Funding Inc. CSGAG Credit Suisse AG Credit Suisse (USA) Inc. Credit Suisse Securities (USA) LLC Deutsche Bank AG <sup>12</sup> HSBC Bank PLC HSBC Holdings PLC JPMorgan Chase & Co. JPMorgan Chase Bank, N.A. Royal Bank of Canada RBS plc	
<i>Regents of the Univ. of Cal. v. Bank of Am. Corp., et al.</i> , No. 13 Civ. 05186	N.D. Cal.	Bank of America Corporation Bank of America, N.A. Barclays Bank PLC BTMU Citibank, N.A. Citigroup Inc. CSGAG Deutsche Bank AG HBOS PLC HSBC Holdings PLC HSBC Bank PLC	

<sup>11</sup> Merrill Lynch Capital Services, Inc. will be referred to as “MLCS” throughout this Schedule.

<sup>12</sup> In addition, Deutsche Bank AG is moving to dismiss for failure to state a claim – on grounds of a forum selection clause – the following claims to the extent they are brought on behalf of Prudential Core Short-Term Bond Fund: the fifth cause of action (breach of contract against the swap defendants) and sixth cause of action (breach of the implied covenant of good faith and fair dealing as against the swap defendants).

Amended Complaints	Jurisdiction Filed	Defendants Moving to Dismiss	Relief Requested
		JPMorgan Chase & Co. JPMorgan Chase Bank, N.A. Lloyds Banking Group plc Norinchukin Bank Portigon AG Rabobank RBS Group Royal Bank of Canada Société Générale UBS AG WestImmo	
<i>Salix Capital US Inc. v. Banc of Am. Sec. LLC, et al.</i> , No. 13 Civ. 04018	N.Y. Sup. Ct.	Barclays Bank PLC* CSGAG Credit Suisse AG Credit Suisse Int'l* Deutsche Bank AG RBS plc	
<i>San Diego Ass'n of Gov. v. Bank of Am. Corp., et al.</i> , No. 13 Civ. 05221	S.D. Cal.	Bank of America Corporation Bank of America, N.A. Barclays Bank PLC BTMU Citibank, N.A. Citigroup Inc. CSGAG Deutsche Bank AG HBOS PLC HSBC Holdings PLC HSBC Bank PLC JPMorgan Chase & Co. JPMorgan Chase Bank, N.A. Lloyds Banking Group plc Norinchukin Bank Portigon AG Rabobank RBS Group Royal Bank of Canada Société Générale UBS AG WestImmo	
<i>Triaxx Prime CDO 2006-1 Ltd., et al. v. Bank of Am. Corp., et al.</i> , No. 14 Civ. 146	N.Y. Sup. Ct.	Barclays Bank PLC BTMU CSGAG Credit Suisse Int'l Deutsche Bank AG	

Amended Complaints	Jurisdiction Filed	Defendants Moving to Dismiss	Relief Requested
		HSBC Holdings PLC Lloyds Banking Group plc Norinchukin Bank Portigon AG Rabobank Royal Bank of Canada RBS Group RBS plc Société Générale WestImmo	

**H**

**Schedule H—RICO**

<b>Amended Complaints Asserting RICO Claims</b>	<b>Relevant Claims for Relief</b>	<b>Type of RICO Claim Asserted</b>	<b>Relief Requested</b>
<i>Bay Area Toll Authority v. Bank of Am. Corp.</i> , No. 14-cv-3094	No. 2	Federal	Dismissal of federal RICO claim as to all Defendants.
<i>Prudential Investment Portfolios 2 v. Bank of Am. Corp.</i> , No. 14-cv-4189	No. 10	New Jersey	Dismissal of New Jersey RICO claim as to all Defendants.

**I**

**Schedule I—Securities Claims**

<b>Amended Complaints Asserting Securities Claims</b>	<b>Relevant Claims for Relief</b>	<b>Type of Securities Claim Asserted</b>	<b>Relief Requested</b>
<i>Charles Schwab Corp. v. Bank of Am. Corp.</i> , No. 13-cv-7005	Nos. 9-13	Sections 10(b), 20(a) of the Securities Exchange Act of 1934; Sections 11, 12(a)(2), and 15 of the Securities Act of 1933; Sections 25400 and 25401 of the California Corporations Code.	Dismissal of all securities claims as to all Defendants.

**J**



**Schedule J—Tortious Interference****Schedule J.1—Dismissal of Tortious Interference Claims for Failure to Plead  
Substantive Elements**

<b>Amended Complaints Asserting Tortious Interference Claims</b>	<b>Relevant Claims for Relief</b>	<b>Relief Requested</b>
<i>Bay Area Toll Auth. v. Bank of Am. Corp., et al.</i> , No. 14-cv-3094	No. 7	Dismissal of all tortious interference claims as to all Defendants in all actions.
<i>CEMA Joint Venture v. Charter One Bank, N.A., et al.</i> , No. 13-cv-5511	No. 2	
<i>Charles Schwab Corp., et al. v. Bank of Am. Corp., et al.</i> , No. 13-cv-7005	No. 4	
<i>City of Houston v. Bank of Am. Corp., et al.</i> , No. 13-cv-05616	No. 6	
<i>City of Philadelphia, et al. v. Bank of Am. Corp., et al.</i> , No. 13-cv-06020	Nos. 11-13	
<i>City of Richmond, et al. v. Bank of Am. Corp., et al.</i> , No. 13-cv-00627	No. 6	
<i>City of Riverside, et al. v. Bank of Am. Corp., et al.</i> , No. 13-cv-00597	No. 6	
<i>Cnty. of Mendocino v. Bank of Am. Corp., et al.</i> , No. 13-cv-08644	No. 6	
<i>Cnty. of Sacramento v. Bank of Am., et al.</i> , No. 13-cv-05569	No. 6	
<i>Cnty. of San Diego v. Bank of Am. Corp., et al.</i> , No. 13-cv-00667	No. 6	
<i>Cnty. of San Mateo, et al. v. Bank of Am. Corp., et al.</i> , No. 13-cv-00625	No. 6	
<i>Cnty. of Sonoma, et al. v. Bank of Am. Corp., et al.</i> , No. 13-cv-05187	No. 6	
<i>Darby Fin. Products, et al. v. Barclays Bank plc, et al.</i> , No. 13-cv-08799	Nos. 10-12	
<i>East Bay Municipal Utility Dist. v. Bank of Am. Corp. et al.</i> , No. 13-cv-00626	No. 6	

<b>Amended Complaints Asserting Tortious Interference Claims</b>	<b>Relevant Claims for Relief</b>	<b>Relief Requested</b>
<i>Fed. Deposit Ins. Corp. as Receiver for 38 Closed Banks v. Bank of Am. Corp.</i> , No. 14-cv-1757	Nos. 17-22	
<i>Federal Home Loan Mortg. Corp. v. Bank of Am. Corp. et al.</i> , No. 13-cv-03952	No. 11	
<i>Nat'l Credit Union Admin. Bd. v. Credit Suisse Grp. AG</i> , No. 13-cv-7394	No. 7-8	
<i>Prudential Investment Portfolios 2 v. Bank of Am. Corp., et al.</i> , No. 14-cv-04189	Nos. 3-4, 13	
<i>Regents of the Univ. of Cal. v. Bank of Am. Corp., et al.</i> , No. 13-cv-05186	No. 6	
<i>Salix Capital US Inc. v. Banc of Am. Sec. LLC, et al.</i> , No. 13-cv-04018	Nos. 18-20	
<i>San Diego Ass'n of Gov. v. Bank of Am. Corp., et al.</i> , No. 13-cv-05221	No. 6	
<i>Triaxx Prime CDO 2006-1 Ltd., et al. v. Bank of Am. Corp., et al.</i> , No. 14-cv-0146	No. 3	

**Schedule J.2—Dismissal of Tortious Interference Claims by Non-FDIC and Non-NCUA Plaintiffs as Untimely**

<b>Action<sup>1</sup></b>	<b>Date Filed<sup>2</sup></b>	<b>Applicable Statute of Limitations</b>	<b>Alleged Period of Relevant Conduct</b>	<b>Relief Requested</b>
<i>Bay Area Toll Auth. v. Bank of Am. Corp., et al.</i> , No. 14-cv-3094	March 31, 2014	Two years. Cal. Code Civ. Proc. § 339(1).	August 2007 – May 2010 (Am. Compl. ¶ 1)	Dismissal as to all claims.
<i>CEMA Joint Venture v. Charter One Bank, N.A., et al.</i> , No. 13-cv-5511	March 21, 2013	Four years. Ohio Revised Code § 2305.09(D); <i>Samman v. Nukta</i> , 2005-Ohio-5444 (2005).	Nov. 15, 2005 – present (Compl. ¶ 2)	Dismissal as to all claims accruing before March 21, 2009.
<i>Charles Schwab Corp., et al. v. Bank of Am. Corp., et al.</i> , No. 13-cv-7005	First complaint filed August 23, 2011; dismissed March 29, 2013. New complaint filed April 20, 2013	Two years. Cal. Code Civ. Proc. § 339(1).	August 2007 – May 2010 (Am. Compl. ¶ 1)	Dismissal as to all claims accruing before August 23, 2009.
<i>City of Philadelphia, et al. v. Bank of Am. Corp., et al.</i> , No. 13-cv-06020	July 26, 2013	Two years. 42 PA.C.S.A. § 5524.	August 2007 – end of 2010 (Am. Compl. ¶ 11)	Dismissal as to all claims of Plaintiff City of Philadelphia.

<sup>1</sup> The below listed actions include only those against which Defendants are moving on statute of limitations grounds at this time.

<sup>2</sup> This reflects the filing date of the original complaint.

<b>Action<sup>1</sup></b>	<b>Date Filed<sup>2</sup></b>	<b>Applicable Statute of Limitations</b>	<b>Alleged Period of Relevant Conduct</b>	<b>Relief Requested</b>
<i>City of Richmond, et al. v. Bank of Am. Corp., et al.</i> , No. 13-cv-00627 (CM) <sup>3</sup>	January 9, 2013	Two years. Cal. Code Civ. Proc. § 339(1).	August 2007 – March 2011 (Consol. Am. Compl. ¶ 6)	Dismissal as to all claims accruing before January 9, 2011.
<i>City of Riverside, et al. v. Bank of Am. Corp., et al.</i> , No. 13-cv-00597 (CM)	January 9, 2013	Two years. Cal. Code Civ. Proc. § 339(1).	August 2007 – March of 2011 (Consol. Am. Compl. ¶ 6)	Dismissal as to all claims accruing before January 9, 2011.
<i>Cnty. of Mendocino v. Bank of Am. Corp., et al.</i> , No. 13-cv-08644 (CM)	November 13, 2013	Two years. Cal. Code Civ. Proc. § 339(1).	August 2007 – March of 2011 (Consol. Am. Compl. ¶ 6)	Dismissal as to all claims.
<i>Cnty. of Sacramento v. Bank of Am., et al.</i> , No. 13-cv-05569 (CM)	July 23, 2013	Two years. Cal. Code Civ. Proc. § 339(1).	August 2007 – March of 2011 (Consol. Am. Compl. ¶ 6)	Dismissal as to all claims.
<i>Cnty. of San Diego v. Bank of Am. Corp., et al.</i> , No. 13-cv-00667 (CM)	January 9, 2013	Two years. Cal. Code Civ. Proc. § 339(1).	August 2007 – March of 2011 (Consol. Am. Compl. ¶ 6)	Dismissal as to all claims accruing before January 9, 2011.

<sup>3</sup> This action and others in this Schedule that have the parenthetical (“CM”) have been consolidated into *Regents of the Univ. of Calif. v. Bank of Am. Corp.*, No. 13-cv-5186, and consist of claims brought on behalf of various California municipalities. Because the municipalities filed their actions on different dates, and therefore are subject to different statute of limitations periods, we have broken them out for purposes of this Schedule only even though the actions are now consolidated.

<b>Action<sup>1</sup></b>	<b>Date Filed<sup>2</sup></b>	<b>Applicable Statute of Limitations</b>	<b>Alleged Period of Relevant Conduct</b>	<b>Relief Requested</b>
<i>Cnty. of San Mateo, et al. v. Bank of Am. Corp., et al.</i> , No. 13-cv-00625 (CM)	January 9, 2013	Two years. Cal. Code Civ. Proc. § 339(1).	August 2007 – March of 2011 (Consol. Am. Compl. ¶ 6)	Dismissal as to all claims accruing before January 9, 2011.
<i>Cnty. of Sonoma, et al. v. Bank of Am. Corp., et al.</i> , No. 13-cv-05187 (CM)	June 28, 2013	Two years. Cal. Code Civ. Proc. § 339(1).	August 2007 – March of 2011 (Consol. Am. Compl. ¶ 6)	Dismissal as to all claims.
<i>Darby Fin. Products, et al. v. Barclays Bank plc, et al.</i> , No. 13-cv-08799	November 21, 2013	Two years for Plaintiff Darby Financial Products. 42 Pa. C.S. § 5524. <sup>4</sup> Three years for Plaintiff Capital Ventures International. N.Y. C.P.L.R. § 214(4).	August 2007 – end of 2010 (Am. Compl. ¶ 3)	Dismissal as to all claims of Plaintiff Darby Financial Products; dismissal as to all claims of Plaintiff Capital Ventures International accruing before November 21, 2010.
<i>East Bay Municipal Utility Dist. v. Bank of Am. Corp. et al.</i> , No. 13-cv-00626 (CM)	January 9, 2013	Two years. Cal. Code Civ. Proc. § 339(1).	August 2007 – March of 2011 (Consol. Am. Compl. ¶ 6)	Dismissal as to all claims accruing before January 9, 2011.

<sup>4</sup> Pennsylvania's limitations period is applicable to Darby Financial Products, a company with its principal place of business in Pennsylvania, under New York's borrowing statute, N.Y. C.P.L.R. § 202.

<b>Action<sup>1</sup></b>	<b>Date Filed<sup>2</sup></b>	<b>Applicable Statute of Limitations</b>	<b>Alleged Period of Relevant Conduct</b>	<b>Relief Requested</b>
<i>The Federal Home Loan Mortg. Corp. v. Bank of Am. Corp. et al.</i> , No. 13-cv-03952	March 14, 2013	Five years. Code § 8.01–243(B); <i>Dunlap v. Cottman Transmission Sys., LLC</i> , 287 Va. 207, 222 (2014).	August 2007 – May 2010 (Am. Compl. ¶ 7).	Dismissal as to all claims accruing before March 14, 2008.
<i>Prudential Investment Portfolios 2 v. Bank of Am. Corp., et al.</i> , No. 14-cv-04189	May 19, 2014	Six years. N.J. S. A. § 2A:14-1.	August 2007 – end of 2010 (Am. Compl. ¶ 3)	Dismissal as to all claims accruing before May 19, 2008.
<i>Regents of the Univ. of Cal. v. Bank of Am. Corp., et al.</i> , No. 13-cv-05186 (CM)	June 25, 2013	Two years. Cal. Code Civ. Proc. § 339(1).	August 2007 – March of 2011 (Consol. Am. Compl. ¶ 6)	Dismissal as to all claims.
<i>Salix Capital US Inc. v. Banc of Am. Sec. LLC, et al.</i> , No. 13-cv-04018	May 20, 2013	Three years. N.Y. C.P.L.R. § 214(4); Conn. Gen. Stat. § 52-577. <sup>5</sup>	August 2007 – the end of 2010 (2nd Am. Compl. ¶ 3)	Dismissal as to all claims accruing before May 20, 2010.
<i>San Diego Ass’n of Gov. v. Bank of Am. Corp., et al.</i> , No. 13-cv-05221 (CM)	June 25, 2013	Two years. Cal. Code Civ. Proc. § 339(1).	August 2007 – March of 2011 (Consol. Am. Compl. ¶ 6)	Dismissal as to all claims.

<sup>5</sup> *Salix* was filed in New York but brought on behalf of a hedge fund with its principal place of business in Connecticut. Both states have three years limitations periods.

<b>Action<sup>1</sup></b>	<b>Date Filed<sup>2</sup></b>	<b>Applicable Statute of Limitations</b>	<b>Alleged Period of Relevant Conduct</b>	<b>Relief Requested</b>
<i>Triaxx Prime CDO 2006-1 Ltd., et al. v. Bank of Am. Corp., et al.</i> , No. 14-cv-0146	December 20, 2013	Three years. N.Y. C.P.L.R. § 214(4).	2005 – 2010 (Am. Compl. ¶ 5)	Dismissal as to all claims accruing before December 20, 2010.

**Schedule J.3—Dismissal of Tortious Interference Claim by FDIC as Untimely*****Federal Deposit Insurance Corp. v. Bank of America Corp.*, 14-cv-1757**Date Filed: March 14, 2014<sup>6</sup>

Alleges conduct occurred from August 2007 – mid- 2011 (Am. Compl. ¶ 288)

<b>Failed Financial Institution</b> <sup>7</sup>	<b>FDIC Appointment</b> <sup>8</sup>	<b>Relevant State Law</b>	<b>Applicable Statute of Limitations</b>	<b>Relief Requested</b> <sup>9</sup>
Amcore Bank, N.A.	April 23, 2010 (Am. Compl. ¶ 9a)	New York <sup>10</sup>	Three years. N.Y. C.P.L.R. § 214(4).	Dismissal as to all claims accruing before March 14, 2011.
AmTrust Bank	December 4, 2009 (Am. Compl. ¶ 9b)	New York	Three years. N.Y. C.P.L.R. § 214(4).	Dismissal as to all claims accruing before March 14, 2011.
BankUnited, F.S.B.	May 21, 2009 (Am. Compl. ¶ 9c)	New York	Three years. N.Y. C.P.L.R. § 214(4).	Dismissal as to all claims accruing before March 14, 2011.

<sup>6</sup> This reflects the filing date of the original complaint.

<sup>7</sup> The below listed financial institutions include only those whose claims the Defendants are moving against on statute of limitations grounds at this time.

<sup>8</sup> The FDIC Extender statute defines the accrual date as the later of the date of the appointment as conservator or receiver or “the date on which the cause of action accrues.” *See* 12 U.S.C. § 1821(d)(14)(B).

<sup>9</sup> This column applies the FDIC Extender Statute, under which the applicable statute of limitations for the tortious interference claims alleged by the FDIC is the longer of either (1) the three-year period beginning on the date the claim accrues or (2) the period applicable under state law. 12 U.S.C. § 1821(d)(14)(A).

<sup>10</sup> Because the FDIC complaint was filed in New York, the applicable state law limitations period is New York’s, unless a shorter limitations period would be applicable under New York’s borrowing statute. Nevertheless, any shorter limitations period is effectively irrelevant because the Extender Statute applies the longer of the three-year limitations period and the applicable state law limitations period. *See* 12 U.S.C. § 1821(d)(14)(A)(ii).



<b>Failed Financial Institution<sup>7</sup></b>	<b>FDIC Appointment<sup>8</sup></b>	<b>Relevant State Law</b>	<b>Applicable Statute of Limitations</b>	<b>Relief Requested<sup>9</sup></b>
California National Bank	October 30, 2009 (Am. Compl. ¶ 9d)	California	Two years. Cal. Code Civ. Proc. § 339(1).	Dismissal as to all claims accruing before March 14, 2011.
Colonial Bank	August 14, 2009 (Am. Compl. ¶ 9e)	Alabama	Two years. <i>Hope For Families &amp; Cmty. Serv., Inc. v. Warren</i> , 721 F. Supp. 2d 1079, 1190 (M.D. Ala. 2010).	Dismissal as to all claims accruing before March 14, 2011.
Corus Bank, N.A.	September 11, 2009 (Am. Compl. ¶ 9g)	New York	Three years. N.Y. C.P.L.R. § 214(4).	Dismissal as to all claims accruing before March 14, 2011.
Downey Savings and Loan Association, F.A.	November 21, 2008 (Am. Compl. ¶ 9h)	California	Two years. Cal. Code Civ. Proc. § 339(1).	Dismissal as to all claims accruing before March 14, 2011.
Eurobank	April 30, 2010 (Am. Compl. ¶ 9i)	Puerto Rico	One year. 31 L.P.R.A. § 5298(2).	Dismissal as to all claims accruing before March 14, 2011.
First Community Bank	January 28, 2011 (Am. Compl. ¶ 9j)	New York	Three years. N.Y. C.P.L.R. § 214(4).	Dismissal as to all claims accruing before March 14, 2011.
First Federal Bank of California, F.S.B.	December 18, 2009 (Am. Compl. ¶ 9k)	California	Two years. Cal. Code Civ. Proc. § 339(1).	Dismissal as to all claims accruing before March 14, 2011.

<b>Failed Financial Institution<sup>7</sup></b>	<b>FDIC Appointment<sup>8</sup></b>	<b>Relevant State Law</b>	<b>Applicable Statute of Limitations</b>	<b>Relief Requested<sup>9</sup></b>
First Regional Bank	January 29, 2010 (Am. Compl. ¶ 9m)	California	Two years. Cal. Code Civ. Proc. § 339(1).	Dismissal as to all claims accruing before March 14, 2011.
Frontier Bank	April 30, 2010 (Am. Compl. ¶ 9n)	New York	Three years. N.Y. C.P.L.R. § 214(4).	Dismissal as to all claims accruing before March 14, 2011.
Georgian Bank	September 25, 2009 (Am. Compl. ¶ 9o)	New York	Three years. N.Y. C.P.L.R. § 214(4).	Dismissal as to all claims accruing before March 14, 2011.
Guaranty Bank	August 21, 2009 (Am. Compl. ¶ 9p)	Texas	Two years. <i>First Nat. Bank of Eagle Pass v. Levine</i> , 721 S.W.2d 287, 289 (Tex. 1986).	Dismissal as to all claims accruing before March 14, 2011.
Hillcrest Bank	October 22, 2010 (Am. Compl. ¶ 9q)	Kansas	Two years. K.S.A. § 60-513(a)(4).	Dismissal as to all claims accruing before March 14, 2011.
Imperial Capital Bank	December 18, 2009 (Am. Compl. ¶ 9r)	California	Two years. Cal. Code Civ. Proc. § 339(1).	Dismissal as to all claims accruing before March 14, 2011.
Indymac Bank, F.S.B.	July 11, 2008 (Am. Compl. ¶ 9s)	California	Two years. Cal. Code Civ. Proc. § 339(1).	Dismissal as to all claims accruing before March 14, 2011.

<b>Failed Financial Institution<sup>7</sup></b>	<b>FDIC Appointment<sup>8</sup></b>	<b>Relevant State Law</b>	<b>Applicable Statute of Limitations</b>	<b>Relief Requested<sup>9</sup></b>
Irwin Union Bank and Trust Company	September 18, 2009 (Am. Compl. ¶ 9u)	Indiana	Two years. <i>C &amp; E Corp. v. Ramco Indus., Inc.</i> , 717 N.E.2d 642, 644 (Ind .Ct. App. 1999).	Dismissal as to all claims accruing before March 14, 2011.
La Jolla Bank, F.S.B.	February 19, 2010 (Am. Compl. ¶ 9v)	California	Two years. Cal. Code Civ. Proc. § 339(1).	Dismissal as to all claims accruing before March 14, 2011.
Midwest Bank and Trust Company	May 14, 2010 (Am. Compl. ¶ 9x)	New York	Three years. N.Y. C.P.L.R. § 214(4).	Dismissal as to all claims accruing before March 14, 2011.
Orion Bank	November 13, 2009 (Am. Compl. ¶ 9y)	New York	Three years. N.Y. C.P.L.R. § 214(4).	Dismissal as to all claims accruing before March 14, 2011.
Pacific National Bank	October 30, 2009 (Am. Compl. ¶ 9z)	California	Two years. Cal. Code Civ. Proc. § 339(1).	Dismissal as to all claims accruing before March 14, 2011.

<b>Failed Financial Institution<sup>7</sup></b>	<b>FDIC Appointment<sup>8</sup></b>	<b>Relevant State Law</b>	<b>Applicable Statute of Limitations</b>	<b>Relief Requested<sup>9</sup></b>
Park National Bank	October 30, 2009 (Am. Compl. ¶ 9aa)	New York	Three years. N.Y. C.P.L.R. § 214(4).	Dismissal as to all claims accruing before March 14, 2011.
PFF Bank & Trust	November 21, 2008 (Am. Compl. ¶ 9bb)	California	Two years. Cal. Code Civ. Proc. § 339(1).	Dismissal as to all claims accruing before March 14, 2011.
R-G Premier Bank of Puerto Rico	April 30, 2010 (Am. Compl. ¶ 9cc)	Puerto Rico	One year. 31 L.P.R.A. § 5298(2).	Dismissal as to all claims accruing before March 14, 2011.
Riverside National Bank of Florida	April 16, 2010 (Am. Compl. ¶ 9dd)	New York	Three years. N.Y. C.P.L.R. § 214(4).	Dismissal as to all claims accruing before March 14, 2011.
San Diego National Bank	October 30, 2009 (Am. Compl. ¶ 9ee)	California	Two years. Cal. Code Civ. Proc. § 339(1).	Dismissal as to all claims accruing before March 14, 2011.

<b>Failed Financial Institution<sup>7</sup></b>	<b>FDIC Appointment<sup>8</sup></b>	<b>Relevant State Law</b>	<b>Applicable Statute of Limitations</b>	<b>Relief Requested<sup>9</sup></b>
Silverton Bank, N.A.	May 1, 2009 (Am. Compl. ¶ 9ff)	New York	Three years. N.Y. C.P.L.R. § 214(4).	Dismissal as to all claims accruing before March 14, 2011.
TierOne Bank	June 4, 2010 (Am. Compl. ¶ 9hh)	New York	Three years. N.Y. C.P.L.R. § 214(4).	Dismissal as to all claims accruing before March 14, 2011.
United Commercial Bank	November 6, 2009 (Am. Compl. ¶ 9ii)	California	Two years. Cal. Code Civ. Proc. § 339(1).	Dismissal as to all claims accruing before March 14, 2011.
United Western Bank	January 21, 2011 (Am. Compl. ¶ 9jj)	Colorado	Two years. Colo. Rev. Stat. Ann. § 13-80-102 (West).	Dismissal as to all claims accruing before March 14, 2011.
Washington Mutual Bank	September 25, 2008 (Am. Compl. ¶ 9kk)	Nevada	Two years. Nev. Rev. Stat. Ann. § 11.190(4) (West 2014).	Dismissal as to all claims accruing before March 14, 2011.

<b>Failed Financial Institution<sup>7</sup></b>	<b>FDIC Appointment<sup>8</sup></b>	<b>Relevant State Law</b>	<b>Applicable Statute of Limitations</b>	<b>Relief Requested<sup>9</sup></b>
Westernbank Puerto Rico	April 30, 2010 (Am. Compl. ¶ 911)	Puerto Rico	One year. 31 L.P.R.A. § 5298(2).	Dismissal as to all claims accruing before March 14, 2011.

**Schedule J.4—Dismissal of Tortious Interference Claim by NCUA as Untimely*****Nat'l Credit Union Admin. Bd. v. Credit Suisse Grp. AG (13-cv-7394)***

Date Filed: September 23, 2013 (Amended Complaint naming new defendants filed October 6, 2014)<sup>11</sup>

Alleges conduct occurred from August 2007 – May 2010 (Am. Compl. ¶ 2)

<b>Failed Financial Institution<sup>12</sup></b>	<b>NCUA Appointment</b>	<b>Relevant State Law</b>	<b>Applicable Statute of Limitations</b>	<b>Relief Requested<sup>13</sup></b>
U.S. Central	March 20, 2009 (Am. Compl. ¶ 11)	Kansas <sup>14</sup>	Two years. K.S.A. § 60-513(a)(4).	Dismissal as to all claims.
WesCorp	March 20, 2009 (Am. Compl. ¶ 11)	Kansas	Two years. K.S.A. § 60-513(a)(4).	Dismissal as to all claims.

<sup>11</sup> As used herein, the “Original Defendants” comprise those Defendants named in NCUA’s original complaint filed September 23, 2013: The Bank of Tokyo-Mitsubishi UFJ, Ltd., Barclays Bank plc, Rabobank, Credit Suisse Group AG, HBOS plc, JPMorgan Chase & Co., JPMorgan Chase Bank, N.A., Lloyds Banking Group plc, the Norinchukin Bank, Royal Bank of Canada, the Royal Bank of Scotland Group plc, Société Générale, Westdeutsche Immobilienbank AG, WestLB, and UBS AG. The “NCUA New Defendants” comprise those Defendants that were first named in NCUA’s amended complaint filed October 6, 2014: Bank of America Corporation, Bank of America, N.A., Barclays Capital, Inc., Citi Swapco Inc., Citibank, N.A., Citigroup Financial Products, Citigroup, Inc., Credit Suisse Group International, Deutsche Bank AG, HSBC Bank USA, N.A., and HSBC Holdings plc. “Rabobank International” was first named as a defendant in the caption of NCUA’s amended complaint filed October 6, 2014. “Rabobank International” is the name by which Rabobank is referred outside of the Netherlands. It is not a legal entity separate from Rabobank. It should be dismissed for this reason.

<sup>12</sup> The below listed financial institutions include only those whose claims the Defendants are moving against on statute of limitations grounds at this time.

<sup>13</sup> Pursuant to the NCUA Extender Statute, the applicable statute of limitations for tortious interference claims that did not expire before NCUA was appointed is the longer of the three-year period beginning on the date the claim accrues or the period applicable under state law. 12 U.S.C. § 1787(b)(14)(A). Because the NCUA Extender Statute does not have a “revival” provision like the FDIC Extender Statute, *compare* 12 U.S.C. § 1787(b)(14) *with* 12 U.S.C. § 1821(d)(14)(C), claims that expired before NCUA’s appointment are also time-barred.

<sup>14</sup> Under Kansas choice of law rules, Kansas courts apply the Kansas statute of limitations to actions before them. *See Patterson v. Williams*, 500 F. App’x 792, 794 (10th Cir. 2012). Kansas also has a borrowing statute that operates like New York’s. *See* Kan. Stat. Ann. § 60-516. Thus, if a cause of action accrues in another state with a shorter limitations period, the court will apply that shorter limitations period. *Id.*

<b>Failed Financial Institution<sup>12</sup></b>	<b>NCUA Appointment</b>	<b>Relevant State Law</b>	<b>Applicable Statute of Limitations</b>	<b>Relief Requested<sup>13</sup></b>
Southwest	September 24, 2010 (Am. Compl. ¶ 12)	Kansas	Two years. K.S.A. § 60-513(a)(4).	Dismissal as to all claims accruing before September 24, 2008 (Original Defendants); all claims (New Defendants).
Members United	September 24, 2010 (Am. Compl. ¶ 12)	Kansas	Two years. K.S.A. § 60-513(a)(4).	Dismissal as to all claims accruing before September 24, 2008 (Original Defendants); all claims (New Defendants).
Constitution	September 24, 2010 (Am. Compl. ¶ 12)	Kansas	Two years. K.S.A. § 60-513(a)(4).	Dismissal as to all claims accruing before September 24, 2008 (Original Defendants); all claims (New Defendants).



**K**

**Schedule K—Consumer Claims****Schedule K.1—Dismissal of UCL and GBL Claims**

<b>Amended Complaints Asserting Consumer Claims</b>	<b>Relevant Claim(s) for Relief</b>	<b>Relief Requested</b>
<i>Bay Area Toll Authority v. Bank of Am. Corp.</i> , No. 14-cv-3094	No. 6	Dismissal of all consumer claims as to all Defendants in all actions.
<i>Charles Schwab Corp., et al. v. Bank of Am. Corp., et al.</i> , No. 13-cv-7005	No. 3	
<i>Maragos v. Bank of Am. Corp.</i> , No. 13-cv-2297	No. 2	
<i>Nat'l Credit Union Admin. Bd. v. Credit Suisse Grp. AG</i> , No. 13-cv-7394	No. 2	

**Schedule K.2—Dismissal of UCL and GBL Claims by BATA and Schwab as  
Untimely**

Date of Inquiry Notice: May 29, 2008

<b>Action<sup>1</sup></b>	<b>Date Filed<sup>2</sup></b>	<b>Relevant State Law<sup>3</sup></b>	<b>Applicable Statute of Limitations</b>	<b>Alleged Period of Relevant Conduct</b>	<b>Relief Requested</b>
<i>BATA v. Bank of America Corp., et al.</i> , No. 1:14-cv-3094	March 31, 2014	California	Four years (Cal. Bus. & Prof. Code § 17208)	August 2007 to May 2010	Dismissal as to all claims accruing before March 31, 2010. <sup>4</sup>
<i>Maragos v. Bank of America Corp., et al.</i> , No. 13-cv-02297	November 27, 2012	NY	Three years (N.Y. C.P.L.R. § 214(2))	2007 to 2011	Dismissal as to all claims accruing before November 27, 2009.
<i>Charles Schwab Corp., et al. v. Bank of America Corp., et al.</i> , No. 1:13-cv-7005	April 29, 2013	California	Four years (Cal. Bus. & Prof. Code § 17208)	August 2007 to May 2010	Dismissal as to all claims accruing before April 29, 2009.

<sup>1</sup> The below listed actions include only those against which Defendants are moving on statute of limitations grounds at this time.

<sup>2</sup> This reflects the filing date of the original complaint.

<sup>3</sup> This column assumes for the limited purpose of calculating the statute of limitations that California and New York law apply to Plaintiffs' UCL and GBL claims, respectively. As explained in Defendants' brief, however, to the extent the transactions underlying Plaintiffs' claims, such as ISDA Master Agreements, call for the application of another state's law, those claims must be dismissed. See Consumer Claims Br. Part I.A.

<sup>4</sup> This conclusion was reached as follows: pursuant to this Court's prior rulings, BATA was on inquiry notice by May 29, 2008 at the latest, of probable LIBOR manipulation going back to at least August 2007. Because BATA cannot claim it was unaware of its claims after May 29, 2008, only claims that accrued within four years of the filing of BATA's action (here, claims accruing between March 31, 2010 and May 2010) may be considered timely. Similar calculations were applied to Schwab's and Maragos' claims using the relevant statutes of limitations.



**Schedule K.3—Dismissal of UCL by NCUA as Untimely*****Nat'l Credit Union Admin. Bd. v. Credit Suisse Grp. AG (13-cv-7394)***Date Filed: September 23, 2013<sup>5</sup>

Alleges conduct occurred from August 2007 – May 2010 (Am. Compl. ¶ 2)

<b>Failed Financial Institution<sup>6</sup></b>	<b>NCUA Appointment<sup>7</sup></b>	<b>Relevant State Law<sup>8</sup></b>	<b>Applicable Statute of Limitations</b>	<b>Relief Requested<sup>9</sup></b>
U.S. Central Federal Credit Union	March 20, 2009	California	Four years (Cal. Bus. & Prof. Code § 17208)	Dismissal as to all claims accruing before September 23, 2009. <sup>10</sup>
Western Corporate Federal Credit Union (“WesCorp”)	March 20, 2009	California	Four years (Cal. Bus. & Prof. Code § 17208)	Dismissal as to all claims accruing before September 23, 2009.

<sup>5</sup> This reflects the filing date of the original complaint.

<sup>6</sup> The below listed financial institutions include only those whose claims the Defendants are moving against on statute of limitations grounds at this time.

<sup>7</sup> Pursuant to the Extender Statute, the applicable statute of limitations is the longer of the three-year period beginning on the date the claim accrues (the later of the date of the appointment as conservator or receiver) or the period applicable under state law. 12 U.S.C. § 1787(b)(14)(A)-(B).

<sup>8</sup> This column assumes for the limited purpose of calculating the statute of limitations that California law applies to NCUA’s UCL claims. As explained in Defendants’ brief, however, the transactions underlying NCUA’s claims, governed by ISDA Master Agreements, call for the application of New York law and therefore must be dismissed. *See* Consumer Claims Br. Part I.A.

<sup>9</sup> As noted in the accompanying memorandum of law, all UCL claims brought by NCUA (on behalf of all five credit unions) against defendants added for the first time in its October 6, 2014 complaint are time barred. These new defendants are: Barclays Capital Inc., Bank of America Corporation, Bank of America, N.A., Citigroup, Inc., Citibank, N.A., Citigroup Financial Products, Citi Swapco Inc., Deutsche Bank AG, HSBC Holdings PLC; HSBC Bank USA, N.A., and Rabobank International. “Rabobank International” was first named as a defendant in the caption of NCUA’s amended complaint filed October 6, 2014. “Rabobank International” is the name by which Rabobank is referred outside of the Netherlands. It is not a legal entity separate from Rabobank. It should be dismissed for this reason.

<sup>10</sup> Because the Extender Statute’s three-year limitations period provided expired on March 20, 2012 for claims on behalf of U.S. Central and WesCorp, only claims that accrued less than four years before the September 23, 2013 filing date may be timely pursuant to the UCL’s statute of limitations period.

**L**

**Schedule L—Unjust Enrichment****Schedule L.1—Dismissal of Unjust Enrichment Claims Against Non-Counterparty Defendants**

<b>Amended Complaints Asserting Unjust Enrichment Claims</b>	<b>Relevant Claims for Relief</b>	<b>Relief Requested</b>
<i>Amabile v. Bank of Am. Corp.</i> , No. 13-cv-1700	No. 6	Dismissal of all unjust enrichment claims in all actions asserted against:  (i) Defendants with which the Plaintiffs did not contract;  (ii) Defendants that transacted with the Plaintiffs merely as underwriters or broker-dealers; and  (iii) non-Panel Bank Defendants
<i>Bay Area Toll Auth. v. Bank of Am. Corp.</i> , No. 14-cv-3094	No. 9	
<i>CEMA Joint Venture v. Charter One Bank, N.A. et al.</i> , No. 13-cv-5511	No. 5	
<i>Charles Schwab Corp. v. Bank of Am. Corp.</i> , No. 13-cv-7005	No. 8	
<i>City of Houston v. Bank of Am. Corp.</i> , No. 13-cv-5616	No. 7	
<i>City of Philadelphia v. Bank of Am. Corp.</i> , No. 13-cv-6020	Nos. 9-10	
<i>Darby Fin. Prods. v. Barclays Bank PLC</i> , No. 13-cv-8799 (as to Plaintiff Capital Ventures International CVI only)	No. 1	
<i>Nat'l Credit Union Admin. Bd. v. Credit Suisse Grp. AG</i> , No. 13-cv-7394	No. 9	
<i>Principal Fin. Grp., Inc. v. Bank of Am. Corp.</i> , No. 13-cv-6014	No. 8	
<i>Principal Funds, Inc. v. Bank of Am. Corp.</i> , No. 13-cv-6013	No. 8	

Amended Complaints Asserting Unjust Enrichment Claims	Relevant Claims for Relief	Relief Requested
<i>Regents of the Univ. of Cal. et al. v. Bank of Am. Corp.</i> , No. 13-cv-5186	No. 7	
<i>Salix Capital US Inc. v. Banc of Am. Securities LLC</i> , No. 13-cv-4018	Nos. 8-9	



**Schedule L.2—Dismissal of Unjust Enrichment Claims as Untimely**

<b>Action<sup>1</sup></b>	<b>Date Filed<sup>2</sup></b>	<b>Applicable Statute of Limitations</b>	<b>Alleged Period of Relevant Conduct</b>	<b>Relief Requested</b>
<i>Amabile v. Bank of Am. Corp.</i> , No. 13-cv-1700	March 13, 2013	Three years. N.Y. C.P.L.R. § 214(3).	January 2005 – end of 2010 (Am. Compl. ¶ 1)	Dismissal as to all claims accruing before March 13, 2010.
<i>Bay Area Toll Auth. v. Bank of Am. Corp.</i> , No. 14-cv-3094	March 31, 2014	Three years. <i>FDIC v. Dintino</i> , 84 Cal. Rptr. 3d 38, 50 (Cal. App. 2008).	August 2007 – May 2010 (Am. Compl. ¶ 1)	Dismissal as to all claims accruing before March 31, 2011.
<i>CEMA Joint Venture v. Charter One Bank, N.A.</i> , No. 13-cv-0-3-0248	March 21, 2013	Six years. O.R.C. § 2305.07; <i>Starkey v. JPMorgan Chase Bank, NA</i> , 573 F. App'x 444, 448 (6th Cir. 2014).	November 2005 – present (Compl. ¶ 2)	Dismissal as to all claims accruing before March 21, 2007.
<i>Charles Schwab, N.A. v. Bank of Am. Corp.</i> , No. 13-cv-7005	April 29, 2013	Three years. <i>FDIC v. Dintino</i> , 84 Cal. Rptr. 3d 38, 50 (Cal. App. 2008).	August 2007 – May 2010 (Am. Compl. ¶ 1)	Dismissal as to all claims accruing before April 29, 2010.
<i>City of Philadelphia v. Bank of Am. Corp.</i> , No. 13-cv-6020	July 26, 2013	Four years. 42 Pa.C.S.A. § 5525(a); <i>Cole v. Lawrence</i> , 701 A.2d 987, 989 (Pa. Super. 1997).	August 2007 – end of 2010 (Am. Compl. ¶ 11)	Dismissal as to all claims accruing before July 26, 2009.

<sup>1</sup> The below listed actions include only those against which Defendants are moving on statute of limitations grounds at this time.

<sup>2</sup> This reflects the filing date of the original complaint.

<b>Action<sup>1</sup></b>	<b>Date Filed<sup>2</sup></b>	<b>Applicable Statute of Limitations</b>	<b>Alleged Period of Relevant Conduct</b>	<b>Relief Requested</b>
<i>City of Richmond v. Bank of Am. Corp.</i> , No. 13-cv-0627 (CM) <sup>3</sup>	January 9, 2013	Three years. <i>FDIC v. Dintino</i> , 84 Cal. Rptr. 3d 38, 50 (Cal. App. 2008).	August 2007 – March 2011 (Consol. Am. Compl. ¶ 6)	Dismissal as to all claims accruing before January 9, 2010.
<i>City of Riverside v. Bank of Am. Corp.</i> , No. 13-cv-0597 (CM)	January 9, 2013	Three years. <i>FDIC v. Dintino</i> , 84 Cal. Rptr. 3d 38, 50 (Cal. App. 2008).	August 2007 – March 2011 (Consol. Am. Compl. ¶ 6)	Dismissal as to all claims accruing before January 9, 2010.
<i>Cnty. of Mendocino v. Bank of Am. Corp.</i> , No. 13-cv-8644 (CM)	November 13, 2013	Three years. <i>FDIC v. Dintino</i> , 84 Cal. Rptr. 3d 38, 50 (Cal. App. 2008).	August 2007 – March 2011 (Consol. Am. Compl. ¶ 6)	Dismissal as to all claims accruing before November 13, 2010.
<i>Cnty. of Sacramento v. Bank of Am.</i> , No. 13-cv-5569 (CM)	July 23, 2013	Three years. <i>FDIC v. Dintino</i> , 84 Cal. Rptr. 3d 38, 50 (Cal. App. 2008).	August 2007 – March 2011 (Consol. Am. Compl. ¶ 6)	Dismissal as to all claims accruing before July 23, 2010.
<i>Cnty. of San Diego v. Bank of Am. Corp.</i> , No. 13-cv-0667 (CM)	January 9, 2013	Three years. <i>FDIC v. Dintino</i> , 84 Cal. Rptr. 3d 38, 50 (Cal. App. 2008).	August 2007 – March 2011 (Consol. Am. Compl. ¶ 6)	Dismissal as to all claims accruing before January 9, 2010.

<sup>3</sup> This action and others in this Schedule that have the parenthetical (“CM”) have been consolidated into *Regents of the Univ. of Calif. v. Bank of Am. Corp.*, No. 13-cv-5186, and consist of claims brought on behalf of various California municipalities. Because the municipalities filed their actions on different dates, and therefore are subject to different statute of limitations periods, we have broken them out for purposes of this Schedule only even though the actions are now consolidated.

<b>Action<sup>1</sup></b>	<b>Date Filed<sup>2</sup></b>	<b>Applicable Statute of Limitations</b>	<b>Alleged Period of Relevant Conduct</b>	<b>Relief Requested</b>
<i>Cnty. of San Mateo v. Bank of Am. Corp.</i> , No. 13-cv-0625 (CM)	January 9, 2013	Three years. <i>FDIC v. Dintino</i> , 84 Cal. Rptr. 3d 38, 50 (Cal. App. 2008).	August 2007 – March 2011 (Consol. Am. Compl. ¶ 6)	Dismissal as to all claims accruing before January 9, 2010.
<i>Cnty. of Sonoma v. Bank of Am. Corp.</i> , No. 13-cv-5187 (CM)	June 28, 2013	Three years. <i>FDIC v. Dintino</i> , 84 Cal. Rptr. 3d 38, 50 (Cal. App. 2008).	August 2007 – March 2011 (Consol. Am. Compl. ¶ 6)	Dismissal as to all claims accruing before June 28, 2010.
<i>Darby Fin. Prods. v. Barclays Bank PLC</i> , No. 13-cv-8799	November 21, 2013	Three years. <i>FDIC v. Dintino</i> , 84 Cal. Rptr. 3d 38, 50 (Cal. App. 2008).	August 2007 – March 2011 (Consol. Am. Compl. ¶ 6)	Dismissal as to all claims accruing before January 9, 2010.
<i>East Bay Municipal Utility Dist. v. Bank of Am. Corp.</i> , No. 13-cv-0626 (CM)	January 9, 2013	Three years. <i>FDIC v. Dintino</i> , 84 Cal. Rptr. 3d 38, 50 (Cal. App. 2008).	August 2007 – March 2011 (Consol. Am. Compl. ¶ 6)	Dismissal as to all claims accruing before January 9, 2010.
<i>Fed. Nat. Mortg. Ass'n v. Barclays Bank PLC</i> , No. 13-cv-7720	October 13, 2013	Three years. D.C. Code § 12-301; <i>New Worlds Comms. v. Thompson</i> , 878 A.2d 1218, 1220-21 (D.C. 2005). <sup>4</sup>	August 2007 – 2010 (Am. Compl. ¶ 4)	Dismissal as to all claims accruing before October 31, 2010.
<i>Maragos v. Bank of Am. Corp.</i> , No. 13-cv-2297	November 27, 2012	Three years. N.Y. C.P.L.R. § 214(3).	2007 – 2011 (Am. Compl. ¶ 3)	Dismissal as to all claims accruing before November 27, 2009.

<sup>4</sup> The District of Columbia's limitations period is applicable to Fannie Mae, a company whose principal place of business is in Washington D.C., (see *Fannie Mae Am. Compl. ¶¶ 12, 15*), under New York's borrowing statute, N.Y. C.P.L.R. § 202.

<b>Action<sup>1</sup></b>	<b>Date Filed<sup>2</sup></b>	<b>Applicable Statute of Limitations</b>	<b>Alleged Period of Relevant Conduct</b>	<b>Relief Requested</b>
<i>Principal Fin. Grp., Inc. v. Bank of Am. Corp.</i> , No. 111-MD-2262	August 1, 2013 and October 6, 2014	Three years. N.Y. C.P.L.R. § 214(3).	August 2007 – May 2010 (Am. Compl. ¶ 2)	Dismissal as to all claims accruing before August 1, 2010. <sup>5</sup>
<i>Principal Funds, Inc. v. Bank of Am. Corp.</i> , No. 11-MD-2262	August 1, 2013 and October 6, 2014	Three years. N.Y. C.P.L.R. § 214(3).	August 2007 – May 2010 (Am. Compl. ¶ 2)	Dismissal as to all claims accruing before August 1, 2010. <sup>6</sup>
<i>Prudential Investment Portfolios 2 v. Bank of Am. Corp.</i> , No. 14-cv-4189	May 19, 2014	Six years. <i>Jacobson v. Celgene</i> , 2010 WL 1492869, at *3 (D.N.J. Apr. 14, 2010); <i>37 Park Dr. S., Inc. v. Duffy</i> , 881 N.Y.S.2d 481, 482 (N.Y. App. Div. 2009)	August 2007 – end of 2010 (Am. Compl. ¶ 3)	Dismissal as to all claims accruing before May 19, 2008.

<sup>5</sup> As to the Defendants first named by Principal Financial Group and Principal Funds in their amended complaints filed October 6, 2014, dismissal is requested as to as to all claims accruing before October 6, 2011: As to Principal Funds, these are Barclays Capital, Inc.; Citigroup Global Markets, Inc.; Credit Suisse AG; Credit Suisse Securities (USA) LLC; Deutsche Bank Securities, Inc.; J.P. Morgan Securities, LLC; Lloyds Bank PLC; Merrill Lynch, Pierce, Fenner & Smith, Inc.; The Royal Bank of Scotland PLC; RBS Securities, Inc.; and UBS Securities LLC.

As to Principal Financial Group: Barclays Capital, Inc.; Chase Bank USA, N.A.; Citigroup Global Markets, Inc.; Credit Suisse AG; Credit Suisse International; Credit Suisse Securities (USA) LLC; Deutsche Bank Securities, Inc.; J.P. Morgan Dublin PLC; J.P. Morgan Securities, LLC; Lloyds Bank PLC; Merrill Lynch Capital Services, Inc.; Merrill Lynch, Pierce, Fenner & Smith, Inc.; The Royal Bank of Scotland PLC; RBS Securities, Inc.; and UBS Securities LLC. Additionally, Credit Suisse International; Credit Suisse Securities (USA) LLC; Credit Suisse AG, and Deutsche Bank Securities, Inc., have not yet been served in either action and reserves their rights if plaintiffs fail to timely effect service.

<sup>6</sup> See *supra* note 4.

<b>Action<sup>1</sup></b>	<b>Date Filed<sup>2</sup></b>	<b>Applicable Statute of Limitations</b>	<b>Alleged Period of Relevant Conduct</b>	<b>Relief Requested</b>
<i>Regents of the Univ. of Cal. v. Bank of Am. Corp.</i> , No. 13-cv-5186 (CM)	June 25, 2013	Three years. <i>FDIC v. Dintino</i> , 84 Cal. Rptr. 3d 38, 50 (Cal. App. 2008).	August 2007 – March of 2011 (Consol. Am. Compl. ¶ 6)	Dismissal as to all claims accruing before June 25, 2010.
<i>Salix Capital US Inc. v. Banc of Am. Securities LLC</i> , No. 13-cv-4018	May 20, 2013	Three years. N.Y. C.P.L.R. § 214(3).	August 2007 – end of 2010 (SAC ¶ 3)	Dismissal as to all claims. <sup>7</sup>
<i>San Diego Ass’n of Gov’ts v. Bank of Am. Corp.</i> , No. 13-cv-5221 (CM)	June 25, 2013	Three years. <i>FDIC v. Dintino</i> , 84 Cal. Rptr. 3d 38, 50 (Cal. App. 2008).	August 2007 – March of 2011 (Consol. Am. Compl. ¶ 6)	Dismissal as to all claims accruing before June 25, 2010.

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<sup>7</sup> Salix’s complaint identifies the last allegedly manipulated payment as occurring on September 28, 2009, *see, e.g.*, Salix Am. Compl. Ex. A, making that date the last possible date its injury accrued. Salix’s claims expired on September 29, 2012 and are time-barred.

**Schedule L.3—Dismissal of Unjust Enrichment Claims by FDIC as Untimely*****Federal Deposit Insurance Corp. v. Bank of America Corp., 14-cv-1757***Date Filed: March 14, 2014<sup>8</sup>Alleges conduct occurred from August 2007 – mid-2011. (FDIC Compl. ¶ 288; *see also id.* ¶¶ 293, 297)

<b>Failed Financial Institution<sup>9</sup></b>	<b>State</b>	<b>FDIC Appointment<sup>10</sup></b>	<b>State Statute of Limitations for Unjust Enrichment</b>	<b>Relief Requested<sup>11</sup></b>
Superior Bank	AL	April 15, 2011	Two years. Ala. Code § 6-2-38(l). <sup>12</sup>	Dismissal as to claims that accrued before March 14, 2011.
Indymac Bank F.S.B.	CA	July 11, 2008	Three years. N.Y. C.P.L.R. § 214(3).	Dismissal as to claims that accrued before March 14, 2011.
United Commercial Bank	CA	November 6, 2009	Three years. N.Y. C.P.L.R. § 214(3).	Dismissal as to claims that accrued before March 14, 2011.
Silverton Bank, N.A.	GA	May 1, 2009	Three years. N.Y. C.P.L.R. § 214(3).	Dismissal as to claims that accrued before March 14, 2011.

<sup>8</sup> This reflects the filing date of the original complaint.

<sup>9</sup> The below listed financial institutions include only those whose claims the Defendants are moving against on statute of limitations grounds at this time.

<sup>10</sup> The FDIC Extender statute defines the accrual date as the later of the date of the appointment as conservator or receiver or “the date on which the cause of action accrues.” *See* 12 U.S.C. § 1821(d)(14)(B).

<sup>11</sup> This column applies the FDIC Extender Statute, under which the applicable statute of limitations for the unjust enrichment claims alleged by the FDIC is the longer of either (1) the three-year period beginning on the date the claim accrues or (2) the period applicable under state law. 12 U.S.C. § 1821(d)(14)(A).

<sup>12</sup> Because the FDIC complaint was filed in New York, the applicable state law limitations period is New York’s, unless a shorter limitations period would be applicable under New York’s borrowing statute. Nevertheless, any shorter limitations period is effectively irrelevant because the Extender Statute applies the longer of its three-year limitations period and the applicable state law limitations period. *See* 12 U.S.C. § 1821(d)(14)(A)(ii).

<b>Failed Financial Institution<sup>9</sup></b>	<b>State</b>	<b>FDIC Appointment<sup>10</sup></b>	<b>State Statute of Limitations for Unjust Enrichment</b>	<b>Relief Requested<sup>11</sup></b>
Amcore Bank, N.A.	IL	April 23, 2010	Three years. N.Y. C.P.L.R. § 214(3).	Dismissal as to claims that accrued before March 14, 2011.
Corus Bank, N.A.	IL	September 11, 2009	Three years. N.Y. C.P.L.R. § 214(3).	Dismissal as to claims that accrued before March 14, 2011.
Washington Mutual Bank	NV	September 25, 2008	Three years. N.Y. C.P.L.R. § 214(3).	Dismissal as to claims that accrued before March 14, 2011.
Amtrust Bank	OH	December 4, 2009	Three years. N.Y. C.P.L.R. § 214(3).	Dismissal as to claims that accrued before March 14, 2011.
Westernbank Puerto Rico	PR	April 30, 2010	One year. P.R. Laws Ann. tit. 28 § 5898(2); <i>Corey Lanuza v. Medic Emergency Specialties, Inc.</i> , 229 F. Supp. 2d, 92, 98 (2002)	Dismissal as to claims that accrued before March 14, 2011.

**Schedule L.4—Dismissal of Unjust Enrichment Claims by NCUA as Untimely*****Nat'l Credit Union Admin. Bd. v. Credit Suisse Grp. AG (13-cv-7394)***

Date Filed: September 23, 2013 (Amended Complaint naming new defendants filed October 6, 2014)<sup>13</sup>

Alleges conduct occurred from August 2007 – May 2010 (Am. Compl. ¶ 2)

<b>Failed Financial Institution</b> <sup>14</sup>	<b>State</b>	<b>NCUA Appointment</b>	<b>State Statute of Limitations for Unjust Enrichment</b>	<b>Relief Requested</b> <sup>15</sup>
Western Corporate Federal Credit Union	CA	March 29, 2009	Three years. Kan. Stat. Ann. § 60-512. <sup>16</sup>	(i) Dismissal as to claims against Original Defendants that accrued before September 23, 2010; and (ii) dismissal as to claims against New Defendants that accrued before October 6, 2011.

<sup>13</sup> As used herein, the “Original Defendants” comprise those Defendants named in NCUA’s original complaint filed September 23, 2013: The Bank of Tokyo-Mitsubishi UFJ, Ltd., Barclays Bank plc, Rabobank, Credit Suisse Group AG, HBOS plc, JPMorgan Chase & Co., JPMorgan Chase Bank, N.A., Lloyds Banking Group plc, the Norinchukin Bank, Royal Bank of Canada, the Royal Bank of Scotland Group plc, Société Générale, Westdeutsche Immobilienbank AG, WestLB, and UBS AG. The “NCUA New Defendants” comprise those Defendants that were first named in NCUA’s amended complaint filed October 6, 2014: Bank of America Corporation, Bank of America, N.A., Barclays Capital, Inc., Citi Swapco Inc., Citibank, N.A., Citigroup Financial Products, Citigroup, Inc., Credit Suisse Group International, Deutsche Bank AG, HSBC Bank USA, N.A., and HSBC Holdings plc. “Rabobank International” was first named as a defendant in the caption of NCUA’s amended complaint filed October 6, 2014. “Rabobank International” is the name by which Rabobank is referred outside of the Netherlands. It is not a legal entity separate from Rabobank. It should be dismissed for this reason.

<sup>14</sup> The below listed financial institutions include only those whose claims the Defendants are moving against on statute of limitations grounds at this time.

<sup>15</sup> Pursuant to the NCUA Extender Statute, the applicable statute of limitations for unjust enrichment claims that did not expire before NCUA was appointed is the longer of the three-year period beginning on the date the claim accrues or the period applicable under state law. 12 U.S.C. § 1787(b)(14)(A). Because the NCUA Extender Statute does not have a “revival” provision like the FDIC Extender Statute, *compare* 12 U.S.C. § 1787(b)(14) *with* 12 U.S.C. § 1821(d)(14)(C), claims that expired before NCUA’s appointment are also time-barred.

<sup>16</sup> Under Kansas choice of law rules, Kansas courts apply the Kansas statute of limitations to actions before them. *See Patterson v. Williams*, 500 F. App’x 792, 794 (10th Cir. 2012). Kansas also has a borrowing statute that operates like New York’s. *See* Kan. Stat. Ann. § 60-516. Thus, if a cause of action accrues in another state with a shorter limitations period, the court will apply that shorter limitations period. *Id.*



<b>Failed Financial Institution<sup>14</sup></b>	<b>State</b>	<b>NCUA Appointment</b>	<b>State Statute of Limitations for Unjust Enrichment</b>	<b>Relief Requested<sup>15</sup></b>
Constitution Corporate Federal Credit Union	CT	September 24, 2010	Three years. Kan. Stat. Ann. § 60-512.	(i) Dismissal as to claims against Original Defendants that accrued before September 24, 2007; and (ii) dismissal as to claims against New Defendants that accrued before October 6, 2011.
U.S. Central Federal Credit Union	KS	March 29, 2009	Three years. Kan. Stat. Ann. § 60-512.	(i) Dismissal as to claims against Original Defendants that accrued before September 23, 2010; and (ii) dismissal as to claims against New Defendants that accrued before October 6, 2011.
Members United Corporate Federal Credit Union	IL	September 24, 2010	Three years. Kan. Stat. Ann. § 60-512.	(i) Dismissal as to claims against Original Defendants that accrued before September 24, 2007; and (ii) dismissal as to claims against New Defendants that accrued before October 6, 2011.

<b>Failed Financial Institution<sup>14</sup></b>	<b>State</b>	<b>NCUA Appointment</b>	<b>State Statute of Limitations for Unjust Enrichment</b>	<b>Relief Requested<sup>15</sup></b>
Southwest Corporate Federal Credit Union	TX	September 24, 2010	Two years. Tex. Civ. Prac. & Rem. Code Ann. § 16.003; <i>HECI Exploration Co. v. Neel</i> , 982 S.W.2d 881, 885 (Tex. 1998).	(i) Dismissal as to claims against Original Defendants that accrued before September 24, 2007; and (ii) Dismissal as to claims against New Defendants that accrued before October 6, 2011.